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Continued Journal of the Senate at the Twentieth Session of The General Assembly of the State of Arkansas

Meeting on Monday November 1st 1875 Pursuant to Senate Joint Resolution No 31 passed March third 1875.

Monday November 1st 1875.
12 O'clock M.

The Secretary called the roll when the following Senators answered to their names.

The President the Hon Bradley Bunch and Senators

Campbell.	Fletcher.	Forney
Haycock	Henderson	Hicks
House	Jones	Loughborough
McCallum	Norman	Pindall
Sims	Thrower	Tobey
Turner	Warren	Wheeler.
and Williams.	20	

The following Senators failed to answer to their names.

Black.	Blackwell.	Brown
East.	Hart	Johnson
Keagan	Tolmer and	Walker 9.

& Quorum Present

Prayer by the Chaplain

Mr Pindall moved that a committe of three be appointed to wait upon the

House and inform that body that the Senate was now organized and ready to proceed to business. Agreed to.

The President named as such Committe. Senators Pindall Warren and Fletcher.

The President announced that the Bills made the Special order for this day would without objection be postponed until to morrow. Agreed to.

Mr Norman introduced the following resolution.

SCR 39 Whereas it has come to the Knowledge of this body, that since its last adjournment the Hon J M Pollard a Senator from the Seventh District has departed this life.

First. Therefore be it resolved, that the members of this body have heard with profound regret of the painfull accident which has deprived the Senate of an able, usefull and industrious member.

Second. That the circumstances attending his death, his sudden cutting off in the prime of life and vigor of manhood are calculated to increase the poignancy of our sorrow.

Third. That a copy of these resolutions be delivered by the Secretary to the House of Representatives, with the request that they concur herein, and that a copy also be furnished the family of the Deceased.

Fourth. That as a further mark of our respect that the Senate do now adjourn until to morrow morning at nine O'Clock.

Mr Turner moved that a committe of two from the Senate and three from the House be appointed to wait upon his Excellency the Governor and inform him that the two Houses of the General Assembly were now organized and ready to receive any

communication he might deem proper to make.

Which was agreed to and the President named Senators Turner and Sims as such Committe on the part of the Senate.

A Message from the House by the Hon Mr Bragg who appeared within the bar and announced that the House of Representatives was now organized and ready to proceed to business.

Mr Pindall asked leave of absence for Senator Walker for a few days. which was granted.

Mr House asked for an indefinite leave of absence for Mr Forney. which was granted. Also for a temporary leave of absence for Mr Brown. granted.

Mr Loughborough asked leave of absence for Mr Blackwell for a few days. which was granted.

Mr Pindall moved that the motion to adjourn be postponed until the committe appointed to wait upon the Governor make their report. which was agreed to.

Mr Pindall moved that Col Robinson be invited to a seat within the bar of the Senate. Adopted.

Mr Campbell asked for leave of absence for Senators Toomer and Johnson for a few days. Which was granted.

Mr Turner from the joint committe to wait upon the Governor reported that they had performed that duty and that the Governor had informed them that he would send in a message at Eleven Oclock tomorrow.

The resolutions in respect to the memory of the Hon J M Pollard were then unanimously adopted and the senate adjourned to 9 O'Clock to morrow morning.

Thomas W. Newton
Secretary

Bradley Beach
President of the Senate

Journal of The Senate

Tuesday November 2nd 1875

9 O'Clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll when the following Senators answered to their names President Bunch and Senators.

Campbell	East	Fletcher
Haycock	Henderson	Hicks
House	Jones	McCallum
Norman	Pindall	Reagan
Sims	Thrower	Turner
Warren	Wheeler	Williams 19

Those Senators who failed to answer to their names at the call of the roll were Messrs Black. Blackwell Brown

Forney	Hart	Johnson
Loughborough	Tobey	Toomer

and Walker. 10

A Quorum announced

Prayer by the Chaplain

The Journal of yesterday was then read and and there being no objection thereto was approved and signed by the President and Secretary

Mr East at his request was excused for non attendance on yesterday.

Mr Haycock announced that Mr Grey Senator Elect from the fourteenth District to fill the vacancy caused by the death of Senator Williams. Was present and ready to take the oath as Senator as prescribed by law.

Mr Gray then came forward and took and subscribed the oath as prescribed by law and entered upon the discharge of his duties.

Mr Black appeared and answered to his name

Mr Loughborough appeared and answered to his name

Mr Williams asked that Mr Tobey be excused for non attendance for the day on account of indisposition, which was granted.

By unanimous consent Mr Dicks introduced
SB 236 a bill entitled "An act authorizing the State Board of Election supervisors to deposit the records and papers of Elections in the Office of the Secretary of State, and to fix their Compensation."

Which was read the first time

The President announced the Bills laid over at the last session would now be read in their order.

Senate Bill 126 was then
SB 126 called up and on motion of Mr Pindall laid on the table subject to call.

Senate Bill no 149 "An act for the
SB 149 relief of Weldon E. Wright." was called up and on motion of Mr Pindall was laid upon the table subject to call.

House Bill no 213 "An act to provide for the representation of the State of Arkan-
-sas at the exhibition to be held at Phila-
HR 213 -delphia on the one hundredth anniver-
-sary of National Independence," was call-
-ed up and on motion of Mr Sims laid on the table subject to call.

By unanimous consent Mr Pindall

Tuesday Nov 2nd

S M 7 introduced "a Memorial to the Congress of the United States to inaugurate a national system of Levees."

Which was read the first time

On motion of Mr Pindall the rules were then suspended, the Memorial read a second time and made the Special order for Eleven o'clock to morrow

S M 8 By unanimous consent Mr Fletcher introduced "A memorial memorializing the Congress of the United States in aid of the Southern Pacific Railroad".

Which was read the first time

On motion of Mr Fletcher the rules were suspended - the memorial read a second time, and on motion of Mr Thrower was referred to the Committee on Memorials.

Under the order of business Mr Jones gave notice that he would on tomorrow introduce "a bill to amend the Administration Law." Also "A Bill for the relief of the Securities on the bond of John F Bell." Also of "A Bill to amend the law relating to the sale of Real Estate Bank Lands." Also of "A Bill to provide for the appointment of assistant Prosecuting Attorneys".

Under the order of business Mr House gave notice that on tomorrow he would introduce a "Bill to be entitled "An act to remit the penalty of fifteen per centum on the delinquent taxes for the years 1873 and 1874." Also an act entitled "An act to change the time of holding the Circuit Court of White County." Also a bill for "an act to be entitled an act regulating the time and manner of holding elections for the determination of the amount of taxes to be levied for school purposes, and for ratifying such elections

heretofore held during the year 1875." Also "An act to amend the revenue laws of the State."

Mr Norman gave notice that he would on tomorrow introduce a Bill for "an act to amend the act of forcible entry and detainer."

Mr Norman also gave notice that he would at an early day introduce "A Bill to permit Sheriffs to take bail in certain cases." Also "A Bill for an act to repeal an act of January 16th 1861 entitled "An act to invest the Swamp and overflowed lands in the Champagnolle District as Stock in the Mississippi Mach-ita and Red River Railroad Company

Mr McCallum under the order of business gave notice that he would on tomorrow introduce a Bill to be entitled "An act to supply deficiencies in the Supreme Court Reports, and to provide for the sale and distribution of the same; and for other purposes."

Mr Thrower gave notice that at an early day he would introduce "a Bill for an act to require the commissioned Officers of the State to make return of their qualifications, to the Office of Secretary of State."

S C R #40

Mr Turner introduced a resolution on the subject of fees and asking for appointment of joint Committe to whom it shall be referred. which was adopted and the President appointed as such Committe. Messrs Thrower. House and Fletcher.

Message from the House of Representatives by their Clerk Mr J W Goulding who appeared within the bar of the Senate and read as follows

House of Representatives
Nov 2nd 1875

Mr President.

I am instructed by the House

of Representatives to inform your honorable body of the rejection of Senate Bill No 214 "An act repealing all laws declaring the Stream called Petit Jean a navigable stream." and herewith respectfully transmit the same.

JW Gaulding . Clerk

Mr Hicks moved that Mr Grey be added to the Committee on Penitentiary, Education and on Public Roads and highways, which was agreed to.

The President announced that the hour at which the Senate would go into joint session with the House to hear read the Message of the Governor had nearly arrived.

Mr Hicks moved that the Senate take a recess for ten minutes.

Which was agreed to.

After the Recess

The President called the Senate to order.

Message from the House of Representatives by Hon Mr Collins Chairman of House Committe who appeared within the bar of the Senate and read as follows.

Mr President.

We, as a committe, are instructed to inform your honorable body that the House of Representatives will be ready to meet the Senate in joint session at 11 A.M. this day for the purpose of receiving the Governors Message.

Collins of Pulaski Chairman Committe from the House
Judkins of Lawrence
Rice of Denton
Committe

Upon the foregoing Message being read, and the hour having now arrived – upon motion of Mr Sticks the Senate proceeded in a body to the Hall of the House of Representatives to receive the Message of the Governor.

Joint Session

Hall of the House of Representatives Nov 2d 1875

The Senate and House of Representatives met in joint session and were called to order by the Hon Bradley Bunch, President of the Senate.

The Secretary of the Senate called the roll of the Senate, and the following Senators answered to their names.

Black	Campbell	East
Fletcher	Gray	Haycock
Henderson	Sticks	House
Jones	Loughborough	McCallum
Norman	Pindall	Sims
Thrower	Tobey	Turner
Warren	Wheeler	Williams

and Mr President 22

The following named Senators were absent.

Blackwell	Brown	Forney
Hart	Johnson	Reagan

Toomer and Walker. 8

The President announced a quorum present.

The Clerk of the House of Representatives called the roll of the Members of the House and the following members answered to their names.

Anderson of Howard.	Baird.	Baker	
Barnett.	Booe.	Boston.	Bradford
Bragg	Bright	Browning	Burns
Casey	Cochran	Cleaveland.	Cluck

Tuesday Nov 2

Coleman Collins Copeland Davis
Dodson of Newton. Drake. Durham. Dowell
Foster. Fulton Gardner. Gill's
Green Hannah. Headlee Hill of Calhoun
Hill of Jefferson. Hoover. Humphrey. Jones.
Judkins. Kerr Little. Love
Maxwell. McConnell Miller. Morgan.
Moore of Union. Orr. Patton. Poe.
Polk. Putman Rice Robinson (Monroe
Ruddell. Rumph Russell Sadler
Shinn Slaughter Spangler Taylor
Trimble Venable Wall Wann
Wells of Drew. Wells of White. Wildberger
Williams and Mr Speaker 67

The Speaker announced a quorum of the House present

The Sergeant at arms announced a Messenger from his Excellency the Governor.

Col C A Wood private secretary of his Excellency Governor A H Garland came forward to the bar of the House of Representatives and read the following Message.

See printed Message attached

THE GOVERNOR'S MESSAGE

TO THE

SENATE AND HOUSE OF REPRESENTATIVES.

STATE OF KANSAS, EXECUTIVE OFFICE,
TOPEKA, KANSAS, November [illegible] 1875.

To the Senate and the House of Representatives of the Legislature of the State of Kansas:

In accordance with pursuant to the joint resolution of March 31, 1875, you find the state more prosperous than when you met in joint convention at the close of your last session of last winter, and we have reason to rejoice at the prospect that have come to pass, and on the state of affairs which bid fair prospects for the future.

Your work of the past session has been [illegible] and has met the approval of the people in the [illegible] have been expected [illegible] the expectation was [illegible] and [illegible] had, under [illegible] [illegible] [illegible]

[illegible] session has [illegible] general system of legislation [illegible] only so much [illegible] necessary to perfect or [illegible] the laws passed at the last session. I [illegible] necessary or advisable [illegible] attention to but few points.

FINANCE.

The board of finance created at the last session partly negotiated a loan of money sufficient to defray the current expenses of the government for one year from July 1st, 1875, to July 1st, 1876, but the parties offering to loan the state this money were not satisfied that the board had the power to bind the state by proper writings, or the authority to pledge or hypothecate the bonds of the state to secure the loan, and the money was withheld, and the negotiation delayed till legislation could be had to meet these objections. When these are removed by legislation the money will be subject to the order of the board, to be used as already indicated. The board are satisfied that this being done, there will be no further difficulty as to money with which to carry on the government, and but little if any scrip need be issued, and the board recommend the passage of an act, at as early day as possible, that will secure this loan.

The board are of the opinion that now it would be well to permit the new scrip, or auditor's warrants and treasurer's certificates, issued since the twenty-third day of December last to be funded, under the act of that date entitled "an act to provide means for paying the expenses of the state government, and to retire the outstanding auditor's warrants and treasurer's certificates," and they recommend a law to this effect be passed.

As there is at present a large amount of money in the treasury not being used for any purpose, and, as there are outstanding obligations of the state drawing large interest, the board consider it advisable that this money be used to liquidate certain obligations of the state, and they recommend legislation that will empower them to apply any moneys in the treasury from time to time not otherwise appropriated by law, to the payment of the obligations of the state in such manner, as in the judgment of the board may best subserve the public interest, but they shall not, with this money, pay in whole, or in

part, any bonds issued prior to the first day of April, 1874.

It is clearly demonstrated that the rate of taxation is inadequate to the raising of sufficient revenue to carry on the government and meet the interest on the public debt and to support common schools, and the board recommend the revenue laws be so amended as to levy for the fiscal year beginning July 1, 1875, and annually thereafter, five mills on the dollar for defraying expenses of the government, three mills on the dollar to pay the interest on public debt, two mills on the dollar to support public schools, and also a levy of one dollar per capita on every male inhabitant over the age of twenty-one years for school purposes—the two last items now being provided for by law

For a more complete and satisfactory working of the finance measure of last session, the board of finance should be authorized to sell any of the bonds provided for in such act, for cash, or any of the warrants of the auditor, or treasurer's certificates now outstanding, at par—sales for money to be at not less than sixty per centum of their par value, and in sales for warrants or certificates the bonds to be estimated at par, and to this extent they recommend the finance bill be amended.

THE CLAIM OF L L JOHNSON AND D. H REYNOLDS,

which was referred to the board of finance by joint resolution approved March 6, 1875, has been fully considered by the board, and it is found they are entitled to the sum of $34,184 20, with six per cent. interest from March 1, 1872, and it is recommended this be allowed them, as a set-off against any liability accrued to the state upon any of the mortgages executed for stock in the Real Estate bank, in which these claimants or their assigns, or the contractors under them, hold the equity of redemption. The papers and documents relative to the claim, as well as the report of the board, are submitted herewith

LANDED INTERESTS OF THE STATE.

Under the act of congress of September 28, 1850, known as the swamp land act, a large amount of lands was selected which was afterward disposed of by the United States Upon proper proof that any lands thus selected came within the provisions of the grant under that act, the general government will refund to the state, in case of cash entry, the amount of purchase money, and an equivalent in lands for tracts located with military bounty warrants or scrip It is very important to the state that this proof be furnished, and a settlement of all such cases be had as soon as possible; and I recommend the passage of a law authorizing the commissioner of state lands to employ an agent, with full powers to accomplish these ends

In order to expedite as well as simplify the control and management of the land department, I think it advisable to permit the commissioner to make deeds himself to the parties entitled thereto, for any seminary, saline, swamp or internal improvement lands.

Last winter I sent you a message upon the subject of creating a bureau of agriculture, mining and manufacturing. The importance of this step cannot well be overestimated, and I ask a consideration at your hands of the suggestions then made, as subsequent reflection has served to strengthen the conviction I then expressed to you

During the last session a communication from Messrs. Pike & Johnson, attorneys, of Washington City, relative to matters of importance to the state, growing out of and connected with her landed interests, was referred to the committee of the senate on auditor's and treasurer's books. The committee waited upon me for any information I might have touching these subjects, and for such suggestions as I might see proper to make. I addressed a communication to the committee containing all the facts I possessed, and recommended the employment of those gentlemen to attend to and prosecute all the claims and rights of the state of the character named and referred to I now earnestly renew that recommendation

BLIND INSTITUTE.

I submit to you the report of the trustees for the management of the Institute for the Education of the Blind, and request its consideration, in connection with another report therein referred to, presented at your last meeting. This institute has had a severe struggle to maintain itself, but it is gratifying to know that it has not suspended, but it has continued to work with good results amid great difficulties and trials, which are fully set forth in the report presented The trustees ask for an appropriation, and accompany the request with a statement which I think entitles them to it, and I hope it will be your pleasure to grant the same

PENITENTIARY

A recent investigation into the management of the penitentiary discloses the fact that a change is needed in that institution. I transmit to you a full report of that investigation, and ask a careful consideration thereof

The buildings and the grounds are too small for the number of convicts confined there, and this number is now being

increased almost daily; besides, the buildings are out of repair and illy adapted for the uses they are devoted to. During the last summer the commissioners attempted to remedy, in part, these defects, but receiving no bids to do the work, nothing was accomplished in this direction. The working of the convicts outside the walls is a great evil, and legislation should be had to put an end to this at the earliest practicable moment. As the first step toward this, it will be necessary to enlarge the grounds to about twice their present area, which, if I mistake not, can be done by agreement with the trustees of the blind institute as to ground sufficient on the south, as embodied in a bill which originated in and was passed by the house, last winter, but was not acted on in the senate When the grounds are enlarged, additional buildings sufficient for the safekeeping and comfort of the prisoners should be erected. The rules and regulations should be more direct and specific as to the time and mode of working the convicts, as to the punishment to be administered, and by whom, as to the quality and quantity of food and clothing, and the food should be more varied than it is. Doubts are entertained as to the power of the commissioners to do what is necessary to reach these various points, and how far they can go in remedying existing evils.

These doubts arise upon a construction of the present law itself, and also upon a construction of that law with the contract of the present lessee, which is more fully referred to in the report. I recommend such legislation as will, beyond all question, remove these doubts, and put in practical operation the suggestions here offered.

THE MONEY OF THE STATE AT STODDARD'S BANK.

By joint resolution of last session, this matter was referred to the attorney-general for investigation and action. In an official communication from him to me, on the subject, it appears legal steps have been taken to realize this money out of the property and assets of the Stoddards; and thus far the state's right to sue and recover has been sustained by the court, and her claim to priority established, in an opinion of Chancellor Eakin, which not only receives the approval of all who read it, but challenges their admiration for its research and legal acumen. The communication of the attorney-general is herewith submitted. I feel sure this suit will be pushed with all possible zeal; and that all legal agencies of every character and description will be used to regain this money from the Stoddards, no one need doubt. Should the state fail in this, when that failure is made known, and the sureties of R. C. Newton, the treasurer of the state when this alleged deposit was made with Stoddards, as is claimed, know the amount really due, they will not wait to be sued, but will promptly meet the demand that is legally due, and pay it to the state.

COUNTY AND TOWNSHIP OFFICERS.

In order to make effective the provision of article 7, section 27, of the constitution, in reference to the removal of county and township officers unfit to hold the same, I think a law should be passed providing for their suspension from office during the investigation and until the inquiry is disposed of.

In some cases made known to me by the prosecuting attorneys, the object of this very wise provision in the constitution has been defeated for the want of such a law.

ARKANSAS INDUSTRIAL UNIVERSITY.

In pursuance of an act approved March 6th, 1875, I appointed six gentlemen, from different parts of the state, as a board of visitors to the Arkansas Industrial university. They attended the annual commencement in June last, and spent several days in examining into the management and discipline of the school, witnessing the exercises in the different departments, as well as examining the buildings, etc., and made a report to me of the results of their investigation, which report is herewith submitted.

It is indeed most gratifying to see that institution in so flourishing a condition. It has outstripped the hopes and expectatsons of its most sanguine friends, and we should be ready to afford all reasonable aid and encouragemont to it we can. I ask your attention to the different points of this report, and join the board of visitors in their recommendation for appropriations for the benefit of the university.

In this connection I desire to present a memorial to the general assembly from the county court of Washington county, in reference to interest paid on bonds issued by that county to aid in erecting the buildings of this institution under the act of March 27th, 1871. From this memorial and accompanying documents it appears Washington county has paid, in interest on her bonds, $16,000, which the state, by virtue of the act referred to, should refund to her. The case is so clearly stated in this memorial I need only call your attention to it. In my opinion it would be an act of justice to grant the prayer of the memorial.

THE CENTENNIAL.

I refer to my message at last session on this subject, and beg leave to renew the suggestions then made. The state com-

missioners and the different boards appointed by them have worked, and are now working with great industry to have our state properly represented at this exposition; but, for the want of means, they have not accomplished all they desired. I have selected Hon. David Walker as the orator, to speak for and in behalf of Arkansas at that time, and he has kindly accepted the appointment. I think it is due the event that a suitable appropriation be made, and all other steps taken by the legislature necessary to place Arkansas creditably in the list of the states and nations to be present at that national celebration.

PUBLICATION OF LEGAL NOTICES.

I am satisfied there should be a change in the law in reference to the publication of legal notices. To secure a fair and faithful performance of duty on the part of sheriffs, clerks and other officers, and administrators, executors, guardians, etc., where their acts are required to be made public, every possible means should be afforded to all interested of being fully informed as to their proceedings. Under the present arrangement the notices given often amount to nothing, and parties not unfreqently lose their rights when no possible diligence could have protected them. I recommend legislation on this subject, to this effect: that whenever, under existing or future laws, it becomes the duty, in the course of legal proceedings of any court, judge, clerk, sheriff, coroner, constable, or other person, or in the administration of the laws of any State, district, county, school, township, municipal or election officer, to make publication of any advertisement, financial or other statement, or public showing in regard to proceedings in administration, executorships, guardianships, assignments for the benefit of creditors, removal of county sites, under attachments, in or concerning elections, proclamations by any executive officers, estrays, escheats, executions on judgments or decrees, concerning personal or real property, settlements of sheriffs, collectors, clerks, treasurers of counties, cities, districts, townships, city or town recorders, the appropriation or condemnation of private property to public use, or other proceeding, by posting the said advertisement in one or more public places, it shall be the duty of the court, judge, clerk, officer, or other person charged with such duty, to cause such advertisement to be published for the length of time and within the period required by law, in some newspaper printed in the county where the proceedings transpire, if any there be, duly authorized; and if there be none such printed in such county, then, according to the provisions of the act approved February 15, 1875.

TIME OF HOLDING GENERAL ELECTIONS AND OF THE MEETING OF THE GENERAL ASSEMBLY.

Under the law of the 23d of January, 1875, the election for State officers and for members of Congress is fixed for the first Monday in September, 1876, and every two years thereafter. By act of Congress the Tuesday next after the first Monday in November, in 1876, is established as the day for holding elections for members of Congress In the course of two months, in 1876, we are to have two elections in which the entire State will be interested and will take part. I think it would be well to change the time of the State election to the same day the Congressional election is held, and save the people the cost and trouble of two elections within so short a time. This would, of course, necessitate a change in the time of the meeting of the General Assembly. I am of the opinion, for general convenience, and for the convenience of members, nearly all of whom are almost compelled to be at their homes during the holidays, the first or second Monday in January would be a more suitable time for the meeting of the General Assembly. The sessions now being limited in duration to sixty days, with certain exceptions, meeting early in January would enable the members to close their labors and return to their homes by the opening of the busy or working season. And holding the election in November, the returns could not well be made up and all the necessary preparations had for the meeting of the Legislature at a day earlier than the time named. I present these matters for your consideration, and submit to you the propriety of making the changes here indicated.

Very respectfully, etc.

A. H. GARLAND, Governor.

After the message was read Senator Hicks moved that the joint session dissolve.

Which motion was adopted and the Senators returned to the Senate Chamber.

The Senate was called to order by President Bunch who announced the order of business.

Mr Hicks moved that the Senate do now adjourn.

Which motion prevailed and the President declared the Senate now adjourned until ten O'Clock to morrow morning.

Bradley Bunch
President of the Senate

Thomas H. Hutton
Secretary

Journal of the Senate

Wednesday Novr 3rd 1875

10 O'Clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll when the following Senators answered to their names My President Bunch and Senators

Black	Brown	Campbell
East	Fletcher	Gray
Hart	Henderson	Hicks

Wednesday Nov 3rd

House	Jones	Loughborough
M Callum	Norman	Sims
Tobey	Toomer	Walker
Warren	and	Wheeler 21

Those Senators failing to answer to their names at the call of the roll were Messrs,

Blackwell	Forney	Haycock
Johnson	Pindall	Reagan
Thrower	Turner and	Williams 9.

A Quorum announced as present

Prayer by the Chaplain

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary

Senators Haycock. Pindall. Thrower and Turner appeared in their seats and answer-ed to their names

Mr Warren asked and obtained leave of absence for the day for Mr Toomer

Mr Pindall announced that Mr Sullivan Senator Elect to fill the vacancy caused by the death of Hon J M Pollard was pres-ent and ready to be qualified

Mr Sullivan then came forward and took and subscribed to the oath as pres-cribed by law and entered upon the dis-charge of his duties as Senator

Mr Loughborough moved that the vari-ous subjects and recommendations embr-aced in the Governors Message be referred to the appropriate Committees, and that 200 Copies of the Message be printed for the use of the Senate. which was agreed to.

Mr Hicks moved that 500 copies of the report of the Committee to investigate the management of the Penitentiary be ordered printed for the use of the Senate. which motion was adopted

Under the order of business Mr Norman introduced a memorial to the Congress of the United States to improve the navigation of the Bayou Bartholomew.

SM No 9.

Which was read the first time and on motion of Mr Norman the rules were suspended - the memorial read a second time and referred to the Committee on Memorials.

Message from the House of Representatives by their Clerk Mr J W Gaulding who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
November 3d 1875

Mr President -

I am instructed by the House of Representatives to inform your honorable body of the appointment of Messrs Barrett Kerr. Wells of White. Gardner and Copeland as a committee on the part of the House to co-operate with like committee of the Senate touching the matters of the Governors message in reference to the Centennial Exposition. and herewith respectfully transmit the same for your information.

J W Gaulding. Clerk

A further Message from the House

Hall House of Representatives
November 3d 1875 -

Mr President -

SB 191 -

I am instructed by the House of Representative, to inform your Honorable body of the rejection by the House of Senate Bill No 191 "An act to prevent false packing of Cotton", also of the passage

by the House of Senate amendment to H R 123 "An act for the government of County jails and poor houses." also the passage of Senate amendment to H R 148. "An act to prohibit horse racing within certain boundaries." and here with respectfully transmit the same.

H R 123

H R 148

J W Gaulding. Clerk

Under the order of business Mr Hart gave notice that at an early day he would introduce a Bill making an appropriation for the relief of Marion County.

Mr East gave notice that he would at an early day introduce a bill to regulate Banking in this State.

Mr Pindall gave notice that he would at an early day introduce a Bill to amend the general election Law

Mr Brown gave notice that at an early day he would introduce a Bill to define the proceedings in cases of bastardy.

Mr Tobey gave notice that on Friday next he would introduce a Bill for the protection of Sheep and to require the owners of dogs to obtain license to keep the same.

Mr Toomer gave notice that he would at an early day introduce a Bill entitled an act to change the name of Surber County to the name of Logan County.

Under the order of business and in accordance with previous notice Mr McCallum introduced a bill "An act to be entitled an act to supply deficiencies in the Supreme Court Reports, and to provide for the sale and distribution of the same, and for other purposes", Which was read the first time and on motion the rules were suspended and the Bill read a second time and referred to.

S B 237

the Committee on Expenditures.

Mr Haycock by unanimous consent introduced a Bill to be entitled "An act to create the separate office of County Collector."

SB 238

Which was read the first time and on motion of Mr Haycock the rules were suspended - the Bill read a second time and referred to a Select Committee composed of Messrs Loughborough. Walker and Gray.

Mr Haycock by unanimous consent introduced a Bill entitled "An act to authorize the refunding of County Bonds."

SB 239

Which was read the first time and on motion of Mr Haycock was placed in its order upon the Callender.

Mr Haycock by unanimous consent introduced "a Bill to be entitled "An act to dispose of surplus funds remaining in County Treasury."

SB 240

Which was read the first time and on motion of Mr Haycock was placed in its order on the Callender.

Mr Warren by unanimous consent introduced a Bill entitled "An act to be entitled an act to permit the owners of land sold for taxes since the first of April 1865 to redeem the same."

SB 241

Which was read the first time and on motion of Mr Warren the rules were suspended - the Bill read a second time and made the Special order for Eleven Oclock on Friday next.

Mr Warren by unanimous consent introduced a Bill for an act to be entitled "An act repealing sections 5125. 5126. and 5127 of Gantt Digest Establishing County Boards of Equalization."

SB 242

Which was read the first time and on motion of Mr Warren the rules were suspended - the Bill read a second time

and referred to the Committee on Finance

Mr Wheeler by unanimous consent introduced a Bill to be entitled "An act amendatory of existing laws in regard to the publication of legal
SB 243 notices."

Which was read the first time and on motion of Mr Wheeler the rules were suspended the Bill read a second time and referred to the committee on printing.

Mr Wheeler by unanimous consent introduced a Bill to be entitled "An act to protect the children of this commonwealth in their right to
SB 244 acquire useful trades."

Which was read the first time and on motion of Mr Wheeler the rules were suspended - the Bill read a second time and referred to a Select Committee of three.

The President designated as such committee Messrs Wheeler Hicks and Warren.

The Hour of Eleven O'Clock having arrived - the Special Order for that hour - being Senate
SM No 7 Memorial No 7. was called up and on motion of Mr Pindall referred to the Committee on Memorials

Under the order of business Mr Horsey introduced a bill to be entitled "An act to remit the penal
SB 245 ty of fifteen per centum on the delinquent taxes for the years 1873 & 1874."

Which was read the first time.

Mr Warren offered an amendment to the Bill by adding to the first section the words "Provided they will make affidavit that they were pecuniarily unable to pay the same."

The Bill and amendment was then read the second time under a suspension of the rules and on motion of Mr Pindall was referred to the Committee on Finance

Mr House under the order of business introduced a Bill entitled "an act to change the time of holding the Circuit Court of White County."

SB 246 Which was read the first time and on motion of Mr House the rules were suspended— the Bill read a second time and made the Special Order for Eleven O'Clock to morrow.

Mr House introduced a Bill entitled "An act to amend the Revenue Laws of the State."

SB 247 Which was read the first time and on motion of Mr House the rules were suspended — the Bill read a second time and referred to the Committee on Finance.

Mr House introduced a Bill for an act to be entitled "An act regulating the time and manner of holding Elections for the determination of the amount of taxes to be levied

SB 248 for school purposes, and for ratifying such Elections heretofore held during the year one thousand Eight hundred and Seventy five."

Which was read the first time and on motion of Mr House the rules were suspended— the Bill read a second time and on motion of Mr Brown was referred to the Committee on Education.

Under the order of business Mr Norman introduced a Bill for "an act to amend section ten (10) of the Forcible Entry and Detainer Law."

SB 249 Which was read the first time. On motion of Mr Norman the rules were then suspended— the Bill read a second time and referred to the committee on the Judiciary.

Mr Norman introduced a Bill for "An act to permit Sheriffs to take Bail

SB 250 in certain Cases."

Which was read the

first time. and on motion of Mr Norman the rules were suspended - the Bill read a second
SB 250 time and made the Special order for twelve O'clock to morrow.

Mr Jones introduced a Bill for an act to be entitled "An act for the relief of the sec-urities of John P Bull as Sheriff and col-lector of taxes in the County of Hempstead."
SB 251 Which was read the first time and on motion of Mr Jones the rules were suspended - the Bill read a second time and referred to the Committee on Finance.

Mr Jones under the order of business int-roduced a Bill "An act to authorize the sale of Real Estate belonging to the Estate of deceased persons."
SB 252 Which was read the first time and on motion the rules were suspen-ded - the Bill read a second time and referred to the Committee on the Judiciary.

Mr Walker moved that Senator Sullivan be placed upon all the committees of which his predecessor the Hon J M Pollard was a member.
Which was adopted.

Mr M'Callum asked that Mr Williams be excused for non attendance to day.
Which was granted.

Mr Hart asked leave to withdraw SB
SB 148 148 introduced by him last session. "An act to change the Boundary lines between the counties of Marion and Boone."
Which was granted

Under the order of business Senate Bill 236 was taken up and read the second
SB 236 time and on motion of Mr Hicks was made the Special Order for tomorrow at 10½ O'clock, in committee of the whole

HB 210 Under the order of business House Bill 210 was taken up and read the first time and takes its place on the calleuder.

On motion of Mr Hart the Senate adjourned.

Bradley Bunch

President of the Senate

Thomas W. Hylton
Secretary

Senate Journal
Thursday Nov 4th 1875
10 O'clock A.M.

The Senate met pursuant to Adjourn-ment.

The Secretary called the roll when the following Senators answered to their names.

Mr President Bunch and Senators

Black	Campbell	East
Fletcher	Gray	Hart
Henderson	Hicks	Johnson
Jones	Loughborough	McCallum
Norman	Pindall	Sims
Sullivan	Tobey	Towner
Turner	Walker	Warren
Wheeler	and	Williams 24

Those Senators who failed to answer to their names at the call of the roll were Mefrs

	Blackwell	Brown
Forney	Haycock	House
Reagan	and	Thower 7.

Thursday Nov 4th

A Quorum announced as present

Prayer by Rev Mr Winfield

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

On motion of Mr East the Hon G D Royston and Judge W H Wilshire were invited to seats within the bar of the Senate.

Under the order of business Mr Toomer gave notice that he would at an Early day introduce "a bill to provide for the Establishment of an Asylum for the insane in this State."

Mr M'Cullum gave notice that on to-morrow he would introduce "A bill to change the time of holding the Circuit Courts in the 7th Judicial Circuit."

Mr Turner Chairman of the Judiciary Committee submitted the following report

Mr President

The Committee on the Judiciary committee to whom was referred, House Bill No 161 entitled "An act to prevent unjust discrimination in charges for freight and to protect persons travelling on Rail roads" have had the same under consideration, and ask leave to report the bill back to the Senate with the recommendation that it be referred to the Committee on Railroads.

Jesse Turner
Chairman

HB 161

Which report was received.

On motion of Mr Turner the report was adopted and the bill referred to the Committee on Railroads.

Mr Turner chairman of the committee on the Judiciary submitted the following report.

Mr President.

The committee on the Judiciary to whom was referred Senate bill No 252 entitled "an act to authorize the sale of real Estate belonging to the Estate of deceased persons." have had the same under consideration and ask leave to report the Bill back to the Senate with the accompanying Substitute therefor. entitled "An act to authorize the sale of lands belonging to the Estates of deceased persons." and your Committee do recommend the passage of said Substitute.

SB 252

Jesse Turner
Chairman

The report was received and adopted and the substitute was read the first time.

On motion the rules were suspended and the substitute read the second time and adopted.

Mr Pindall then moved to amend by inserting the words "thirty days after." between the words "after." and "its" in Section Eleven.

Which amendment was read the first time and on motion the rules were suspended, the amendment read the second time and adopted.

The substitute as amended was then on motion made the special order for Eleven O'Clock on Saturday next.

A message from the House of Representatives by their first assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 4th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable

Thursday Nov 4th

body of the passage by the House of House joint Memorial (No 37) A memorial to the Congress of the United States asking that a Territorial Government be established for the Indian Territory" and herewith respectfully transmit the same for your favorable consideration.

H J M No 37

J N Goulding. Clerk

Mr Loughborough chairman of the committee on Finance submitted the following report.

Mr President,

The committee on Finance to whom was referred that portion of the Governors message relating to finance and taxation have the honor to report that they have had the same under consideration and herewith submit the following bills, and recommend that they do pass; to wit:

First "A Bill for an act to be entitled, "An act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government, and to pledge the bonds of the State as security.

SB 253

Second. A Bill for an act to be entitled "An act to provide for the liquidation of the obligations of the State."

SB 254

Third. A bill for an act to be entitled "An act to amend an act entitled an act to amend the revenue laws of the State," approved March 5th 1875.

SB 255

Fourth. A bill for an act to be entitled "An act to provide for funding the Auditors warrants and Treasurers certificates, issued since the 23rd day of December 1874."

SB 256

Loughborough
Chairman

Which several bills were read the first time and 150 copies of each ordered printed

for the use of the Senate.

Senators Brown House and Thower appeared in their seats and answered to their names

Mr Loughborough chairman of the Finance Committee submitted the following report.

SB 251

Mr President. The Finance committee to whom was referred Senate Bill No 251 being "A bill for an act to be entitled, "An act for the relief of the securities of John P Bull as Sheriff and collector of taxes in the County of Hempstead." have the honor to report that they have had the same under consideration, and herewith report the bill with a recommendation that it do pass.

Loughborough
Chairman

The report of the committee was received and adopted, and on motion of Mr Loughborough the bill was read the third time and placed on its final passage, and the question being shall the bill pass? it was decided in the affirmative. Ayes 24, nays none, absent and not voting 7.

Those Senators who voted in the affirmative were Messrs Black Campbell, East, Fletcher, Gray, Hart, Haycock, Henderson, Hicks House Johnson, Jones, Loughborough, M Cullum Norman, Sims, Sullivan, Thower, Tobey, Turner, Warren, Wheeler, Williams and Mr President. 24

Those Senators absent and not voting were Messrs Blackwell, Brown, Forney, Pindall, Reagan, Toomer and Walker. 7.

So the Bill passed.

SB 257

Mr Norman by unanimous consent introduced a bill for an act to be entitled "An act to make an appropriation to pay the salaries of Assessors."

Which was read the first time, and on motion the rules were suspended - the Bill read
SB 257 a second time and made the Special order for Eleven O'Clock on Saturday next in Committee of the whole.

The Special order for Eleven O'Clock, being Senate Bill No 246, "An act to change the time of holding the Circuit Court of White County," was then called up and read the third time and placed on its passage.

The question being thereupon shall the Bill pass? it was decided in the affirmative. Ayes 28. Nays. none.
SB 246 absent and not voting 3.

Those Senators who voted in the affirmative were Messrs Black. Brown Campbell. East. Fletcher. Gray. Haycock Hart. Henderson, Hicks. House. Johnson Jones. Loughborough. McCallum. Norman Puidall. Sims. Sullivan. Thower Tobey Toomer. Turner. Walker. Warren. Wheeler Williams and Mr President 28.

Those Senators absent and not voting were Messrs. Blackwell. Forney and Reagan. 3.

So the Bill passed.

Mr Thower introduced a bill of which notice was given on yesterday, entitled
SB 258 "An act requiring all State and County Officers to procure their Commissions and for other purposes."

Which was read the first time.

On motion of Mr Thower the rules were then suspended - the Bill read the second time and on motion of Mr. Puidall was referred to the Committee on the Judiciary.

Mr Wheeler by unanimous consent intro-
SB 259 -duced a Bill Entitled, "An act to aid in the preservation of Birds Eggs and Deer".

Which was read the first time.

On motion of Mr Wheeler the rules were
SB 259 then suspended the bill read the second time and on motion of Mr Fletcher was referred to the Committee on Agriculture.

Mr Loughborough by unanimous consent introduced a bill entitled "An act to be entit-
SB 260 -led "an act to repeal Sections 2267, 2268, and 2269, of Gantts Digest."

Which was read the first time. On motion the rules were then suspended, the Bill read the second time and refer-red to the Committee on the Judiciary.

The hour having now arrived for the consideration of Special order being Senate bill No 236, "in committee of the whole. "An act authorizing the State Board
SB 236 of Election Supervisors to deposit the records and papers of Elections in the Office of the Secretary of State." and to fix their compensation".

The Senate resolved itself into the committee of the whole, Mr Hicks in the chair.

After a short time spent in consideration of the said Bill, the committee rose and through their Chairman reported the Bill back with the recommendation that it do pass without amendment.

On motion of Mr Pindall the Bill was then read the third time and placed on its passage.

The question then being put Shall the Bill pass? it was decided in the affirmative Ayes 24. Nays 1. absent and not voting 6.

Those Senators who voted in the affirmative were Messrs Black, Brown Campbell, East Fletcher, Gray, Hart, Henderson, Hicks, Johnson, Jones, Long-borough, McCallum, Norman, Pindall Sims, Sullivan, Thrower, Tobey, Turner,

Walker. Wheeler. Williams and Mr President. 24

The Senator voting in the negative was Mr Tonner. 1

Those Senators absent and not voting were Messrs. Blackwell Forney. Haycock. House Reagan and Walker. 6.

So the Bill passed.

SB 261 Mr Thower by unanimous consent introduced a Bill entitled "An act to authorize the commissioner of State Lands to make deeds in certain cases."

Which was read the first time and on motion placed in its order on the calleder.

SB 262 Under the order of business Mr Pridall introduced a bill entitled "An act to amend Section one. of An act to provide a general Election Law."

Which was read the first time and on motion the rules were suspended, the Bill read the second time and on motion of Mr Warren was referred to the committee on Elections.

SB 263 Mr Hart in accordance with previous notice introduced a bill entitled "An act for the relief of Marion County.

Which was read the first time and on motion placed in its order on the calleder.

SB 264 Mr Hart by unanimous consent introduced a bill for "an act to change and define the boundary line between the counties of Marion and Boone.

Which was read the first time and on motion placed in its order on the Calleder.

SB 239 Under the order of business Senate Bill No 239 "An act to authorize the refunding of county bonds" was called up and read the second

time and on motion of Mr Hicks was referred to the committee on Finance.

Senate Bill 240 "An act to dispose of surplus funds remaining in County Treasurys." was then taken up and read the second time and on motion of Mr Hicks was referred to the Committee on Finance.

SB 240

House Bill 210. "An act to repeal Section 2783 of Chapter 57 of Gantts Digest." was then taken up and read the second time and on motion was referred to the Committee on the Judiciary.

HB 210

Mr Thower by unanimous consent introduced the following motion

Mr President.

I move that the State Treasurer be requested to report at an early day to the Senate the character and amount of indebtedness of the State since the first day of April 1874. and the amount of interest due and unpaid upon the same, as well as the amount of interest on the same to become due in January and July 1876, and also the amount of Currency in the State Treasury, and to what fund it belongs.

Thower

Which was adopted.

The hour of twelve O'Clock having arrived the Special Order for that hour being Senate Bill 250 "An act to permit Sheriffs to take bail in certain Cases." was called up and read the third time and placed on its passage.

SB 250

The question then being put Shall the Bill pass? it was decided in the affirmative. Ayes 23. Nays none. absent and not voting 8

Those Senators who voted in the affirmative were Messrs. Black. Brown Campbell. East. Fletcher Hart Haycock

Henderson. Hicks. House. Jones Loughborough
McCallum. Norman, Pindall Sims
Sullivan. Tobey. Turner, Warren
Wheeler Williams and Mr President. 23

Those Senators absent and not voting were Messrs. Blackwell. Forney. Gray. Johnson. Reagan. Thower, Toomer, and Walker 8.

So the Bill passed.

Senate Bill No 80 "An act providing for the sale of sixteenth sections in addition to the Laws now in force." was then call-ed up and on motion was referred to the committee on State Lands

S B 80

And on motion of Mr Norman the Senate adjourned

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Journal of the Senate

Friday Nov 5th 1875
10 O Clock A M

The Senate met pursuant to adjourn-ment.

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Sen-ators Black. Brown. Campbell Fletcher

Friday Nov 5th

Gray. Hart. Haycock. Henderson. Hicks
House. Johnson Jones Loughborough M Callum
Norman Pindall Sims Sullivan Tobey
Toomer Turner Warren. Wheeler and Williams 25

Those Senators who failed to answer to their names at the call of the roll were Messrs Blackwell. East. Forney. Reagan. Thrower, and Walker 6

A quorum announced as present.

Prayer by the Chaplain

The Journal of yesterday was then read and there being no objection thereto it was approved and signed by the President and Secretary.

Mr Walker appeared in his seat and answered to his name.

S Mem No 10

Under the order of business Mr Campbell introduced a Memorial to the Congress of the United States asking for an appropriation for the improvement of the navigation of White River.

Which was read the first time.

On motion of Mr Campbell the rules were then suspended - the memorial read the second time and referred to the Committee on Memorials.

Mr Pindall from the Committee on Finance submitted the following report from the minority of that Committee.

(See printed Report attached)

MINORITY REPORT

ON

Bills Authorizing Hypothecation of State Bonds, Etc.

MR. PRESIDENT: Unable to agree with the the majority of the Committee in their report upon the several bills recommended, authorizing the hypothecation of the bonds of the State and appropriating all the money in the Treasury to be used at the discretion of the Board of Finance, in paying such debts of the State, created since April, 1874, as the Board may determine, I ask leave to submit a minority report.

Section 10 of the act authorizing the issue of the bonds proposed to be hypothecated provides, "That in order to secure the prompt payment of the interest on said bonds and provide a sinking fund for the redemption of the principal thereof, it is further enacted, as a part of the contract in which said bonds shall be issued, and as an inviolable condition thereof, that until said bonds, principal and interest, shall have been fully paid off and discharged, there shall be levied a tax sufficient to produce the

sum of one hundred and fifty thousand dollars, and thirty-eight thousand dollars for sinking fund, which sum is hereby set apart for the purpose aforesaid, and the first money received in the Treasury annually, during the period aforesaid, *from any source whatever*, is hereby expressly appropriated to said purpose, until the sum of one hundred and eighty-eight thousand dollars aforesaid shall have been applied annually in payment of said interest and in creating said sinking fund, and the right of any holder of said bonds to the benefit herein provided shall be considered as *vested* and *inextinguishable* from the time of issuing thereof until said bonds have been fully paid off, and all moneys belonging to said sinking fund shall be annually applied by the Treasurer, under the direction of the Governor, in purchasing any of said bonds, which may be outstanding, in the same manner as provided in section 9."

This section also gives the State and Federal courts jurisdiction to inforce this *inviolable contract*, and to protect the *vested* and *inextinguishable* rights. Section 9 provided how the bonds shall be redeemed, and by section 12 a further tax of one mill is required to be levied to supply deficiencies, if any, in the tax provided for in section 10.

I understand that under the provisions of this act, about seventy-four thousand dollars of these *inviolable, vested and inextinguishable bonds* have been issued. Queer, however, if the act amending the revenue laws of the State did not repeal the *inviolable* and *inextinguishable features* of this act, as section 2 of that act provides for the purpose of raising a revenue to support the State Government, paying the interest on the public debt, etc., provided, that a one mill tax shall be levied to pay the interest on the public debt. This being a subsequent act, embracing the whole subject matter, will likely be held to have repealed so much of the bond act as provides for levying a tax. This act was passed before any of the bonds were issued, and no *vested, inviolable* or *inextinguishable right* had accrued. The connection of these acts with the legislation proposed will be apparent.

The attention of the Senate is first called to the bill 253. This bill authorizes the Board of Finance to borrow money to defray the current expenses of the State, and to secure the payment, to

hypothecate the bonds authorized by the act above referred to. The only limitation on the Board is that it shall not pledge the bonds at a rate less than one-half their face value, and that no more than five hundred of said bonds shall be pledged in any one year. It is provided that the Board shall issue the notes of the State for the amount borrowed, and in default of payment, the pledgees may sell the land upon giving the Board twenty days' notice. There are no limitation or restriction on the Board as to the time or terms of the hypothecation. And the only provision made for the payment of these notes is so much of the money annually collected and set apart for interest on the bonds of the State authorized to be issued by an act approved December 23, 1874, (the act under which the bonds hypothecated were issued), as will not be required to pay interest on the bonds issued. It is submitted, that if such a provision was constitutional, as the law now stands, no money is set apart to pay the interest on these bonds, as that provision was repealed by the revenue law before referred to. Bill 255, embraced in the majority report, does not provide for the interest on these bonds specially, but to pay interest on the public debt generally. Section 11, article 16, of the Constitution reads: "No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same; and no moneys arising from a tax levied for any purpose shall be used for any other purpose.

It will hardly be contended that we could directly appropriate the money received from the tax to pay the interest on the public debt to pay the current expenses of the State government. If we cannot do it directly, can we avoid the constitutional inhibition by giving a note for money to pay the current expenses of the government, and appropriating the interest fund to pay the note? If we can give a note for twelve months we can give one for one day, and thus defeat the provision of the constitution. It is contended that we can apply the excess of interest to pay the principal. In the first place, we have no excess of interest. With a recognized bonded indebtedness of several millions, with interest unpaid for years, the excess is not very apparent; and if there was an excess it was not levied and collected to pay the current expenses of the State, nor to pay the notes of the State expressly issued to absorb it.

Bill 254, recommended by the majority report, provides that the State board of finance may apply any money that may be in the treasury, from time to time, not otherwise appropriated by law, to the liquidation of the obligations of the State, in such manner as, in the judgment of the board, may best subserve the public interest. With the limitation in payment of debts contracted since April, 1874, section 29, article 5 of the constitution provides that no money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be stated in dollars and cents, and no appropriation shall be for a longer period than two years. Attention is also called to section 11, article 16, above referred to. This bill does not specify the fund or amount appropriated, nor the purpose is not very definitely stated. This appropriation, if valid at all, covers all moneys, whether school fund, interest fund, sinking fund, or expense fund, that may be in the treasury.

It appears there is money in the treasury, collected to pay the interest on the public debt, and that more will accumulate from tax levied for the purpose of paying the interest, which cannot be appropriated for that purpose until our bonded indebtedness is investigated, and the legal and just debts ascertained. Whilst, as we have seen, the General Assembly cannot appropriate it to any other purpose, the General Assembly has the power, and it is its duty, to protect and preserve the funds by investment in good securities or otherwise. I would recommend as substitutes for bills 253 and 254 the passage of a bill providing for the investment in interest-bearing securities, and submit a bill for that purpose. By the provisions of this bill, the temporary use of this fund can be had for the purpose of paying the current expenses of the State, and whilst it is not subject to the constitutional object of the bill recommended by the majority, it will save the State the sum of twenty-five thousand dollars interest annually.

Respectfully submitted,

PINDALL.

SB 265 sub for SB 253 & 254

Accompanying the report Mr Pindall introduced a Bill entitled "An act to authorize the State Board of Finance to borrow money from the interest fund to defray the current expenses of the State Government." as a substitute for Senate Bills 253 and 254.

The report and the substitute Bill were read the first time, and on motion of Mr Pindall were laid upon the table and 150 copies ordered printed for the use of the Senate.

Mr Williams Chairman of the committee on memorials submitted the following report.

Mr President.

SM 9

Your committee to whom was referred Senate Memorial No 9 with regard to the improvement of the navigation of Bayou Bartholomew have instructed me to report the same back to Senate and recommend that the same do pass.

Lewis Williams
Chairman of Committee

The report was received and adopted and on motion of Mr Loughborough the memorial was read the third time and placed on its final passage.

The question then being put, Shall the memorial pass? it was decided in the affirmative. Yeas 23. Nays none. Excused from voting 2. absent and not voting 6.

Those Senators voting in the affirmative were Messrs. Black. Brown. Campbell. East Fletcher. Gray Hart Haycock Henderson House Johnson Loughborough M Callum Norman Pindall. Sims. Sullivan Thrower. Turner. Walker Wheeler. Williams and Mr President. 23

Those Senators excused from voting were Messrs Jones and Toomer. ... 2

Those Senators absent and not voting were Messrs Blackwell, Forney, Hicks, Reagan Tobey and Warren. 6.

So the Memorial passed.

Mr East appeared in his seat and answered to his name.

On motion of Mr Thower the Hon F J Ratcliffe was invited to a seat within the bar of the Senate.

Mr Wheeler Chairman of Select Committee submitted the following report.

Mr President

The Select committee to whom was referred Senate Bill no 244 "entitled an act to protect the children of this commonwealth in their right to acquire useful trades", have had the same under consideration and I am instructed by a majority of the Committee to report the same and recommend the passage of the same.

SB 244

Wheeler
Chairman.

The report of the Committee was received and on motion of Mr Fletcher the bill was read for information.

On its third reading the bill was then on motion of Mr Loughborough referred to the Committee on the Judiciary.

Mr Wheeler Chairman of the Committee on Printing submitted the following report.

Mr President.

I am instructed by the Committee on Public Printing to return Senate Bill No 243. "entitled an act amendatory of existing laws in regard to the publication of legal notices." with the recommendation that it be referred to the Committee on the Judiciary. Wheeler

SB 243

Friday Nov 5th

The report of the committee was received and adopted and on motion the Bill was referred to the committee on the Judiciary.

Mr Williams Chairman of the committee on memorials submitted the following report

Mr President.

Your committee to whom was referred Senate memorial No 7. with regard to
SM 7 a general System of National Levees' have instructed me to report the same back to the Senate and recommend that the same do pass.

Lewis Williams
Chairman of Committee.

The report of the committee was received and adopted and on motion the memorial was read the third time and placed upon its final passage.

The question then being, Shall the memorial pass? it was decided in the affirmative. Ayes 25. Nays 1. absent and not voting 5.

Those senators voting in the affirmative were Messrs Black. Brown Campbell. East. Fletcher. Gray. Hart. Haycock. Henderson. House. Johnson. Jones Loughborough. M Callum. Norman. Pindall. Sims. Sullivan. Toomer. Turner. Walker. Warren Wheeler. Williams and Mr President 25.

The Senator voting in the negative was Mr Thrower. 1

Those senators absent and not voting were Messrs Blackwell Forney. Hicks. Reagan and Tobey 5.

So the Memorial passed.

Mr House Chairman of the committee on Education. submitted the following report.

Mr President.

Your Committee
SB 248 to whom was referred Senate Bill No 248.

A bill for an act to be entitled an act regulating the time and manner of holding elections for the determination of the amount of taxes to be levied for school purposes, and for
SB 248 ratifying such elections heretofore held during the year 1875. have had the same under consideration and herewith respectfully return the same and recommend its passage.

J W House
Chairman

The report of the committee was received and adopted. and on motion of Mr Warren the Bill was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 22. Nays 2. excused from voting 1. absent and not voting 6.

Those Senators voting in the affirmative were Messrs. Black. Brown. Campbell. Fletcher. Gray. Hart. Haycock. Henderson. House. Johnson. Jones. Loughborough Sims. Sullivan. Thrower. Toomer Turner Walker. Warren. Wheeler. Williams and Mr President. 22

Those Senators voting in the negative were Messrs McCallum and Norman. 2

The Senator excused from voting was Mr Hicks. 1

Those Senators absent and not voting were Messrs. Blackwell. East. Forney. Pindall Reagan and Tobey. 6

So the Bill passed.

Special Order for Eleven O'Clock being Senate
SB 241 Bill 241. "An act to be entitled an act to permit the owners of land sold for taxes since the first day of April 1865. to redeem the same." was called up.

Mr Pindall offered an amendment to be added to the end of

section one. to read as follows. "and subsequent taxes that may accrue thereon."

The amendment was read the first time and on motion the rules were suspended — the amendment read the second time and adopted.

On motion of Mr Warren the Bill as amended was referred to the committee on Finance.

Mr Brown from select committee submitted the following report.

Mr President

Your committee to whom was referred House Memorial No 23. Memorializing Congress to pass an act refunding "the Cotton Tax" have had the same under consideration and report it back to the Senate with the recommendation that it do pass.

H M 23

Brown
Chairman.

The report of the Committee was received.

Mr Loughborough moved to amend the memorial by striking out the words "to the people of the Cotton growing States."

The amendment was read the first time. The rules were then on motion suspended — the amendment read the second time and adopted.

Mr Brown moved to amend by striking out the word "one" and inserting the word "our."

Which was read the first time. On motion the rules were then suspended — the amendment read the second time and adopted, and the Memorial as amended was laid over under the rules.

Mr Norman in accordance with previous notice introduced "a Bill for an act to repeal an act of January 16th 1861, entitled an act to invest the swamp and overflowed land in the Champagnolle District as stock in the Mississippi, Ouachita and Red River

SB 266

Railroad Company."

Which was read the first time. On motion of Mr Norman the rules were then suspended - the Bill read the second time and referred to the Committee on State Lands.

SB 267 In accordance with previous notice Mr East introduced a Bill entitled "A bill for an act to authorize and regulate the business of Banking in this State."

Which was read the first time

On motion of Mr East the Bill was then laid upon the table and 150 copies ordered printed for the use of the Senate

SB 268 Under the order of business Mr Hart introduced a bill entitled "An act to change the time of holding the Circuit Court in certain Counties in the Fourth Judicial Circuit in the State of Arkansas." which bill was accompanied by a petition signed by the Circuit Judge and members of the bar of said Circuit praying for the change contemplated in the Bill.

The Bill was read the first time. On motion of Mr Hart the rules were then suspended - the Bill read the second time and made the Special order for Eleven O'Clock tomorrow.

SB 269 Mr Loughborough by unanimous consent introduced a bill entitled "A bill for an act to be entitled "An act supplemental to an act entitled an act to appropriate the sum of $1577. of United States currency not belonging to the Interest fund, for the relief of Wm E Woodruff Jr."

Which was read the first time. On motion of Mr Loughborough the rules were then suspended - the Bill read the second time and referred to the committee on Claims.

SB 270 Mr Jones by unanimous consent introduced a bill for an act to be entitled "An act authorizing the appointment of Assist-

-ant Prosecuting Attorneys in the several Counties of this State and for other purposes."
Which was read the first time.

SB 270 and on motion of Mr Norman the further consideration of the bill was indefinitely postponed.

The Special order for this day being House Bill No 116. being "An act providing a gener-

HR 116 -al Road law." was then taken up and on motion of Mr Campbell was referred to the joint select committee of conference appointed last session.

Mr House by unanimous consent moved the appointment by the President of a commit-tee of three on the part of the Senate to confer with a like committee from the Hou-se for joint action on the House Bill reg-ulating the time of holding County Courts.
Which motion was adopted and the President appointed as such committee. Messrs House. Thro-er and McCallum.

Senate Bill 261 "An act to authorize the Commissioner of State lands to make Deeds

SB 261 in certain cases." was then taken up and read the second time, and on motion of Mr Thurver was referred to the commit-tee on State Lands.

Senate Bill 263. "An act for the relief of Marion County." was taken up and

SB 263 read the second time. and on motion of Mr Hart was referred to the committee on County and County lines.

Senate Bill 264. being an "Act to change and define the boundary line between the Counties of Marion and Boone."

SB 264 was taken up and read the second time and on motion of Mr Fletcher was referred to the Committee on

County and County lines.

On motion of Mr Warren the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate

Saturday Nov 6th 1875
10 O'clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll when the following Senators answered to their names.
Mr President Bunch and Senators.
Brown. Campbell. Gray. Hart Haycock. Henderson Hicks House. Johnson Jones Loughborough McCallum Norman. Pindall Sims Sullivan Tobey. Toomer. Turner. Walker Warren & Wheeler. 23

Those Senators absent at the call of the roll were Mefsrs. Black. Blackwell. East. Fletcher Forney. Reagan Thower and Williams. 8.

A quorum announced as present.

Prayer by the Revd Mr Mackey.

Saturday Nov 6th

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Mr Williams appeared within the bar of the Senate and answered to his name.

On motion of Mr Tindall Mr Black was granted three days leave of absence on account of sickness in his family.

The President laid before the Senate the following communication from the Treasurer of State.

State Treasurers Office
Little Rock Ark Nov 5th 1875

Hon Bradley Bunch
President of the Senate

Sir In compliance with Resolution of the Senate, of the 4th instant, I herewith furnish statements required.

I have the honor to be very Respectfully, Your Obedient Servant
T J Churchill
Treasurer.

See printed report attached

Mr Pindall moved that the reports of the Treasurer be received and that 150 copies be printed for the use of the Senate. Which motion was adopted.

Mr Thower appeared within the bar of the Senate and answered to his name

Under the order of business, House Joint memorial No 23. being "a memorial to the Congress of the United States to pass an act refunding the Cotton tax," was called up, and on motion of Mr Brown was read the third time and placed on its passage.

H J Mem No 23

The question then being put, shall the Memorial pass? it was decided in the affirmative. Ayes. 22. Nays 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs. Brown. Campbell. Fletcher. Hart Haycock. Henderson. Hicks. House. Johnson, Loughborough M Callum. Norman. Sims. Thower. Tobey. Tovner. Turner. Walker. Warren. Wheeler Williams and Mr President 22

The Senator voting in the negative was Mr Grey 1

Those Senators absent and not voting were Messrs Black. Blackwell. East. Forney. Jones Pindall. Reagan and Sullivan 8.

So the Memorial passed.

Under the order of business the President appointed Messrs. Sims. Loughborough and Grey as a committee on the part of the Senate to act with a like committee on the part of the House, "touching the matters of the Governors message in reference to the Centennial Exposition".

House memorial No 37. "A memorial to the Congress of the United States asking that a Territorial Government be established for the Indian Territory", was then taken up - read the first time and on motion placed upon the calender.

H J M No 37

STATEMENTS

RELATIVE TO THE

CONDITION OF STATE FINANCES.

STATEMENT of the amount of Auditor's Warrants redeemed at the State Treasury from 1st April, 1874, to the 30th September, 1875, inclusive.

Redeemed in second quarter, 1874	$234,335 85
Redeemed in third quarter, 1874	311,262 11
Redeemed in fourth quarter, 1874	124,171 25
Redeemed in first quarter, 1875	266,651 28
Redeemed in second quarter, 1875	100,989 16
Redeemed in third quarter, 1875	123,477 48
Total	$1,160,887 13

STATE TREASURY, November 5, 1875.

NOTE—A part of the above amount was for expenses incurred prior to 1st April, 1874.

STATEMENT showing the "character and amount of indebtedness of the State since the 1st day of April, 1874, and the amount of interest due and unpaid upon the same, as well as the amount of interest to become due on January 1, 1876, and July 1, 1876.

ISSUED UNDER ACT APPROVED MAY 29, 1874.

1000 $100 bonds, 10 years, bearing 10 per cent. interest semi-annually.		
200 $500 bonds, 10 years, bearing 10 per cent. interest semi-annually.		
Interest paid on above to 1st July, 1875.		
INTEREST TO BECOME DUE.		
From 1st July, 1875, to 1st January, 1876, on above.....	$10,000 00	
From 1st January, 1876, to 1st July, 1876	10,000 00	
		$20,000 00

ISSUED UNDER ACT APPROVED MARCH 4, 1875.

107 $500, 10-year bonds, 10 per cent. interest semi-annually.		
265 $100 10-year bonds, 10 per cent. interest semi-annually.		
Interest paid to 1st July, 1875.		
INTEREST DUE ON SAME AND TO BECOME DUE.		
From 1st July, 1875, to 1st January, 1876	$4,000 00	
From 1st January, 1876, to 1st July, 1876	4,000 00	
		8,000 00

Brought forward.....		$28,000 00
SIX PER CENT. FUNDING BONDS, ISSUED UNDER ACT APPROVED DECEMBER 23, 1874.		
73 $1000-bonds, 30 years, 6 per cent. interest.		
Interest from 1st July, 1875, to 1st January, 1876.....	$4,380 00	
Interest from 1st January, 1876, to 1st July, 1876.....	4,380 00	
		8,760 00
		$36,760 00

T. J. CHURCHILL, Treasurer.

STATEMENT showing the balance on hand, and the kind of funds, in the State Treasury, on the 30th day of September, 1875.

Oct. 1, 1875. To balance due.....$1,972,933 79

which balance is composed of the following funds, viz :

GENERAL REVENUE.

United States currency.....$	379 01	
State scrip.....	1,105,683 49	
Auditor's warrants.....	11,844 79	
		$1,117,907 29

COMMON SCHOOL.

United States currency.....$	1,139 42	
State scrip.....	41,556 16	
		$ 42,695 58

PERMANENT SCHOOL

United States currency.....$	103 86	
State scrip.....	57,113 04	
Sixty-seven $1000 bonds, Dec. 23, 1874.....	67,000 00	
		$ 124,216 90

SINKING

United States currency.....$	82,312 74	
State scrip.....	151,134 11	
Funded bonds, six per cent.....	36,277 02	
Coupons from same.....	3,953 61	
R. E. Bank bonds.....	21,000 00	
Coupons from same.....	25,140 00	
Interest on same.....	17,326 50	
State Bank bonds.....	2,000 00	
Coupons from same.....	3,180 00	
Interest from same.....	866 56	
		$ 343,190 54

INT. TEN-YEAR BONDS.

United States currency.....$	5,335 90	
		$ 5,335 90

Brought forward		$1,633,346 21

TAX DUE COUNTIES.

United States currency	$ 9 45	
School warrants	672 98	
County scrip	16,863 51	
State scrip	18,922 37	
		$ 36,538 31

TAX DUE CITIES.

United States currency	$ 15 56	
State scrip	50 14	
City indebtedness	1,076 46	
		$ 1,142 16

COUNTY INTEREST FUND.

United States currency	$ 16,835 10	
State scrip	5,488 10	
County scrip	15,966 37	
County bonds	1,000 00	
Coupons from same	2,615 00	
County interest certificates	230 56	
		$ 42,135 13

CITY INTEREST FUND.

United States currency	$ 857 23	
City indebtedness	3,991 82	
		$ 4,849 05

INTEREST ON IMPROVEMENT FUND.

United States currency	$ 95 72	
State scrip	1,709 32	
Levee bonds	77,582 79	
Coupons from same	6,321 19	
Auditor's swamp land warrants	500 00	
		$ 86,209 02

SALINE FUND.

State scrip	$ 818 43	
		$ 818 43

SEMINARY FUND.

State scrip	$ 962 64	
		$ 962 64

Brought forward.....		$ 172,654 74

EXCESS FUND.

State scrip.....	$ 263 78	
		$ 263 78

LEVEE FUND.

State scrip.....	$ 285 27	
Levee bond coupons.....	14,074 28	
		$ 14,359 55

INSURANCE BUREAU.

State scrip.....	$ 5,892 76	
		$ 5,892 76

SWAMP LAND.

State scrip.....	$ 8,224 33	
Levee bonds.....	120,313 98	
Levee bond coupons.....	11,844 55	
Swamp land scrip.....	3,880 75	
Swamp land warrants.....	1,953 14	
Holding certificates.....	80 00	
Auditor's warrants for levee bonds..	120 00	
		$ 146,416 75

Balance due October 1, 1875.....$1,972,933 79

T. J. CHURCHILL, Treasurer.

TREASURER'S OFFICE, Little Rock, Ark., November, 1875.

Saturday Nov 6th

Mr Fletcher appeared within the bar of the Senate and answered to his name.

Mr Fletcher was called to the chair

Mr Bunch presented a petition signed by 125 citizens of the County of Boone accompanied by a remonstrance of the said citizens against changing the Boundary line between the Counties of Marion and Boone.

Which on motion of Mr Bunch was referred to the committee on County and County Lines.

On motion of Mr Gray. Mr Haycock was added to the Select Committee to whom was referred the consideration of Senate Bill No 238. "an act to create the separate office of County Assessor.

Mr East appeared within the bar of the Senate and answered to his name.

Mr Turner chairman of the Judiciary committee submitted the following report.

Mr President

The committee on the judiciary to whom was referred Senate Bill 249. have had the same under consideration and ask leave to report the bill back to the Senate with the following amendments to wit: Strike out the word "two"
SB 249 in the 21st line of the first section and insert in lieu thereof the word "ten" also strike out the figure "2" in the 34th line of the first section and insert in lieu thereof the word "ten" and as thus amended your committee do recommend the passage of the Bill.

Jesse Turner
Chairman

The report of the committee was received and on motion the amendments were read the first time.

On motion of Mr Turner the rules were then suspended - the amendments read the second time and adopted - and on motion of Mr Norman the

Bill as amended was made the Special order for Eleven O'clock on Monday next.

Mr Turner Chairman of the Committee on the Judiciary submitted the following report.

Mr President

The Committee on the Judiciary to whom was referred House Bill 210 entitled "an act to repeal Section 2783. of Gantts Digest." have had the same under consideration and ask leave to report the bill back to the Senate and your Committee recommend that it do pass.

HR 210

Jesse Turner
Chairman

The report of the committee was received and adopted, and on motion of Mr Norman the Bill was read the third time and placed upon its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 26. Nays none. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Brown. Campbell. East Fletcher Gray. Hart. Haycock. Henderson. Hicks House. Johnson. Loughborough. M Callum Norman. Pindall. Sims. Sullivan. Thower Tobey. Toomer. Turner. Walker. Warren Wheeler. Williams and Mr President 26.

Those Senators absent and not voting were Messrs. Black. Blackwell. Forney. Jones and Keagan 5.

So the Bill passed.

A message from the House by their assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 4th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable

Saturday Nov 6th

SB 133 body of the rejection by the House of Senate bill No 133 "An act to change the boundary line between the Counties of Randolph and Clayton." and herewith respectfully return the same.

J W Goulding. Clerk

A further message from the House of Representatives

Hall House of Representatives
Nov 6th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body
HR 222 of the passage of HB 222 entitled "An act authorizing the County and Probate Judges to draw their salaries, and for other purposes;"

Also of HR 219 entitled "An act amendatory of existing Laws regulating the sale of
HR 219 the lands of the State;"

Also of HR 215 entitled "An act to change the time of holding the Courts in the several
HR 215 Counties of the third Judicial Circuit of Arkansas;" Also of SB 204 "An act in relation
SB 204 to Suits in the name of the State against corporations and to vacate and repeal charters."

HR 68 Also of Senate Sub for HR No 68 "An act to prevent criminal abortion."

Also of the rejection by the House of SB
SB 172 No 172 "An act to provide for the recording of land patents." Also of SB No 167 "An act
SB 167 allowing the Supreme Court to grant appeals in certain cases." and herewith respectfully transmit the same for your favorable consideration

J W Goulding
Clerk

Mr Turner Chairman of the Judiciary committee submitted the following report.

Mr President

The committee on the Judiciary to whom was referred House Bill No
HR 166 166 Entitled "An act declaring the "game of "three card monte" a felony and fixing penalty" have had the same under consideration, and your committee ask leave to report the bill back

to the Senate with the recommendation that it do not pass.

Jesse Turner
Chairman

The report of the Committee was received and adopted.

Mr Turner Chairman of the Judiciary Committee submitted the following report.

Mr President

The Committee on the Judiciary to whom was referred Senate Bill no 258. entitled "An act requiring all State and County Officers to procure their commissions and for other purposes," have had the same under consideration and ask leave to report the bill back to the Senate with the following amendments, that is to say, fill up the blank in the 7th line of the first section with the word "Sixty", and amend, immediately after the word "days" in the 7th line of the first section by striking out the words "from the issuance of their respective commissions," and inserting in lieu thereof the words "after their Election".

SB 258

Amend also by filling up the blank in the 11th line of the 1st section with the word "fifteen" and as thus amended your Committee do recommend the passage of the Bill.

Jesse Turner
Chairman

The report of the committee was received, and the amendments read the first time.

On motion of Mr Turner the rules were then suspended — the amendments read the second time and adopted, and the Bill as amended ordered engrossed and was made the Special Order for 11 1/2 O'Clock on Monday next.

Mr Brown chairman of the committee on Engrossed Bills submitted the following report.

Mr President

Your committee to

Saturday Nov 6th

S.B 252 whom was refered Senate Bill No 252, it being "a Bill for an act to be entitled an act to authorize the sale of lands belonging to Estates of deceased persons," report the same correctly engrossed.

Brown
Chairman

Mr Walker acting Chairman of the committee on Finance submitted the following report.

Mr President.

The Finance committee to whom was refered Senate Bill No 239 "An act to authorize the refunding of County Bonds" SB 239 have the honor to report that they have had the same under consideration and herewith return the Bill with a recommendation that it lie on the table subject to call and that 150 copies of the same be printed.

Which report was received and adopted.

Mr Walker acting chairman of the committe on Finance also submitted the following report

Mr President

The Finance committee to whom was refered Senate Bill No 242 "An act to be entitled an act repealing sections 5125, 5126, & 5127, of Gantt Digest Establishing County Bounds of Equalization" SB 242 have the honor to report that they have had the same under consideration and herewith return the Bill with an amendment and recommend that the Bill as amended do pass.

The amendment offered by the committee adds to section 2 the following "Provided that any person who may be aggrieved by the valuation of said assessor shall immediately give notice of the facts to said assessor, that he will file his complaint in the Office of the Clerk of the County Court returnable to the 1st term of said Court holden after said valuation is made, which

Saturday Nov 6th

said complaint being so filed and verified by oath, shall be at said term of the Court, investigated, and if upon proof it shall appear that said valuation was too high, then said Court shall correct the same according to the facts and the assessment amended accordingly, and said applicant shall in every case pay the costs of this proceeding.

Mr Pindall moved to amend the amendment offered by the committee by striking out the word "immediately" where it occurs in the 4th line of said proviso, and inserting the words "five days before the term of the County Court" after the words "give notice" in said line.

Which amendment was accepted.

Mr Pindall then moved to further amend the amendment by the committee by striking out at the end of the proviso all after the words "amended accordingly" – the following words to wit, "and said applicant shall in every case pay the costs of this proceeding."

The Special order for this hour, being the consideration of Senate bill 252 "An act to authorize the Sale of Real Estate belonging to the Estates of deceased persons." was then taken up and on motion of Mr Turner the Bill was read the third time and placed on its passage.

SB 252

Mr Tobey moved to re-commit the Bill to a select committee.

Which was not agreed to.

Error Newton Secy

~~Mr Gray moved to refer the Bill back to the Committee on the Judiciary.~~

~~Which was not agreed to.~~

The question then being put "shall the Bill pass?" it was decided in the

affirmative Ayes 17. Nays 8. Excused from voting 2. absent and not voting 4.

Those Senators voting in the affirmative were Messrs Brown Campbell. East. Fletcher. Gray Hart Haycock House. Jones. M'Callum. Pindall Sims Sullivan. Thomas. Turner. Wheeler and Mr President 17

Those Senators voting in the negative were Messrs. Henderson. Hicks Longborough. Norman. Tobey. Toomer Walker and Williams 8

Those Senators Excused from voting were Messrs Johnson and Warren. 2

Those Senators absent and not voting were. Messrs Black. Blackwell Forney and Reagan. 4

So the Bill passed.

The Senate then resolved itself into Committee of the whole. Mr Fletcher in the Chair in consideration of "Senate Bill no 257 "An act to make an appropriation to pay the salaries of assessors." it being the Special order for this hour.

SB 257

After some time spent in consideration thereof. the committee rose and through their Chairman reported the Bill back with a recommendation that it do pass

On motion of Mr Hicks the Bill was then read the third time and placed on its passage.

The question then being Shall the Bill pass. it was decided in the affirmative Ayes 27 Nays none. absent and not voting 4.

Those Senators voting in the affirmative were Messrs Brown Campbell. East. Fletcher. Gray Hart Haycock. Henderson. Hicks. House John son Jones Longhborough. M'Callum Nor

man, Pindall, Sims, Sullivan Thrower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 27

Those Senators absent and not voting were Messrs Black, Blackwell Forney and Reagan. 4.

So the Bill passed.

SB 268

The Special order for this hour being Senate Bill no 268. "An act to change the time of holding the Circuit Courts in certain Counties in the fourth Judicial Circuit in the State of Arkansas." was then called up and on motion was postponed and the consideration of the amendment to the amendment to SB 242 was then resumed - and after discussion was adopted; and the amendment of the committee as thus amended was then adopted and the Bill ordered engrossed for a third reading.

Mr Walker acting chairman of the Committee on Finance also submitted the following report.

Mr President.

SB 247

The Finance committee to whom was referred Senate Bill No 247. "An act to amend the revenue laws of the State," have the honor to State that they have had the same under consideration and herewith report the Bill with the recommendation that it do not pass.

The report of the committee was received and adopted, and the further consideration of the Bill indefinitely postponed.

Mr Walker acting chairman of the Finance Committee also submitted the following report

Mr President

The Finance Committee to whom was referred Senate Bill No 245. "An act to remit the penalty of fifteen per centum on the delinquent taxes for the years 1873 and 1874" together with an amendment, have the honor to report that they have had the same under consideration and herewith return the Bill with an amendment by way of a substitute for the amendment which accompanied the bill, and a majority of the Committee present at the meeting recommend that the Bill as amended do pass.

The amendment offered by the

committee is as follows. "Provided that any person who desires to avail himself of the benefits of this act shall first make and subscribe an affidavit before some officer authorized by law to administer oaths, that he was unable to pay the taxes due from him for said years 1873 and 1874, and shall file the same with the collector of his County, whereupon the said penalty of fifteen per cent shall be remitted and the said collector shall have credit in his settlements therefor.

Any person who shall falsely swear touching said matters shall be guilty of perjury and punished accordingly."

The report of the committee was received.

Mrs Loughborough and Walker from the Finance Committee submitted from the Minority of that Committee the following report.

Mr President

The undersigned

SB 245 members of the finance committee to whom was referred Senate Bill 245, have the honor to submit a statement of some of the reasons why they do not concur in the recommendation of the committee on the Bill. All remissions of penalties for non payment of taxes are injurious to the credit of the State and if followed to a logical conclusion would lead to a total abolition of the collection of taxes.

A state in as bad financial condition as Arkansas cannot afford to thus tamper with its credit. 2nd Such remissions have a demoralizing effect upon the people of the State and lead them to cease making any efforts to contribute to the support of the State Government. It will be reasoned that if the present Legislature remits the penalty, succeeding Legislatures will remit the principal of the tax. In fact a Bill to this effect is now before the Senate, which applies to the principal, penalty and costs upon taxes between the years 1865 and 1874.

3rd. While such action on the part of the General Assembly may not be contrary to the

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letter of the Constitution, it is certainly in violation of its spirit, for that instrument contemplates that all classes shall share in defraying the public Expenses.

4th It is unjust to those citizens of the State who have not incurred the penalty and shows on the part of the State, so poor an appreciation of their effort to sustain the Government that they will be seriously discouraged from making such efforts in the future.

5th We deeply sympathise with that class of deserving citizens who are totally unable to pay their taxes and we are not opposed to granting them aid in a proper manner. We are of the opinion that the more straight-forward way to assist such persons would be to ascertain their names, the amount of their taxes, and then make an appropriation of money from the Treasury sufficient to pay the penalties that have accrued against them. By this means, at least, we would not be placed in the attitude of giving a premium to large property holders who speculated on a decline in the price of scrip and held back at tax paying time with the idea that after the 20th of April they could pay taxes and penalty for less currency than they could then pay simple taxes; Nor would we be giving a reward to another class of tax payers disloyal in their feelings to the Government of the State, who felt that the surest way to injure that Government and show to the outside world that it was not supported by the people, would be a heavy delinquency in the tax list, and who therefore stood aloof and by specious arguments as to a decline in scrip, tried to induce other persons to join them in withholding from the State its just dues.

SB 245

We are more than gratified that notwithstanding these artful appeals to the cupidity of men, and notwithstanding the fact that last Season was probably a season of the shortest crops ever known in the State and that the people were really poorer than they had ever been in their lives, yet they came forward and showed their wish to help the State in its onward march to prosperity, and paid their taxes more generally than was ever known before.

It is beyond question that in order

Saturday Nov 6th

to do this some of these citizens had to make great pecuniary sacrifices. Shall we reward this patriotism by making donations to speculators and men who were disloyal?

Sixth The present year has given us an extraordinarily bountiful crop. If people cannot pay their taxes now, let us provide some other mode for their relief.

The amount remitted to the poor man by this bill, will not exceed a very few dollars; in many cases it would not be greater than the cost of the affidavit which the proposed amendment to the Bill provides for.

For these, and other reasons that might be given we hope this Bill may not pass.

Loughborough
Walker

SB 271

Pending the discussion of the minority report Mr Pindall by unanimous consent introduced a Bill "An act fixing the time for the meeting of the General Assembly"

Which was read the first time, and on motion of Mr Pindall the rules were then suspended and the Bill read the second time and referred to the Committee on Elections.

On motion of Mr House Mr Henderson was granted a leave of absence for ten days.

On motion of Mr Walker the Senate adjourned.

T. Bradley Bennett
President of the Senate

Thomas W. Newton
Secretary.

Senate Journal
Monday Nov 8th 1875
10 O'Clock A M

The Senate met pursuant to adjournment.

The Secretary called the roll when the following Senators answered to their names. Mr President Bunch and Messrs.

Black	Brown	Campbell	East
Fletcher	Gray	Hart	Haycock
Nicks	House	Jones	Loughborough
McCallum	Norman	Sims	Sullivan
Tobey	Toomer	Turner	Walker
Warren	and	Williams	

23

Those Senators absent at the call of the roll were Messrs

Blackwell	Forney	Henderson	Johnson
Pridall	Reagan	Thrower	and
Wheeler			

8

A quorum announced as present

The Journal of Saturday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Messrs Johnson and Wheeler appeared within the bar of the Senate and answered to their names.

Mr Campbell chairman of the committee on Enrolled Bills submitted the following report.

Mr President.

The committee on Enrolled Bills have examined Senate Substitute for House Bill No 204 and have instructed me to report same correctly Enrolled.

SS HB 204

Said Bill has been signed by the Speaker of the House and President of the Senate and delivered to his Excellency the Governor for his consideration.

The report was received

Mr Brown Chairman of the

Monday Nov 8th

Committee on Engrossed Bills, submitted the following reports.

Mr President

Your committee to whom was referred Senate Bill No 258, it being
SB 258 "an act requiring all State and County Officers to procure their commissions and for other purposes," report the same correctly engrossed.

Mr President

Your committee to whom was referred Senate Bill No 242, it being
SB 242 an act to repeal sections 5125, 5126 and 5127 of Gantts Digest, relating to County Boards of Equalization," report the same correctly Engrossed.

Mr President

Your committee
SB 249 to whom was referred Senate Bill No 249, it being an act to amend section 10 of the forcible Entry and detainer Law," report the same correctly Engrossed

The Special order for this hour, being the consideration of Senate Bill 268, was called up, when Mr Loughborough moved to postpone its
SB 268 consideration and go into consideration of the four Bills introduced by the Finance Committee, SB 253, 254, 255 & 256 but withdrew the same at the request of Mr Walker who suggested the absence of Mr Pindall, who desired to be present.

The Special Order for this hour, being Senate Bill
SB 268 268 "An act to change the time of holding the Circuit Court in certain Counties in the fourth Judicial Circuit in the State of Arkansas, was then called up, and on motion the Bill was read the third time and placed on its passage, The question then being put, shall the Bill pass? it was decided in the affirmative Ayes 22 Nays none, Excused from voting 1, absent and not voting 8.

Those Senators voting in the affirmative were

Messrs	Black,	Brown	Campbell
East	Fletcher	Hart	Hicks
Horse	Johnson	Jones	McCallum

Norman. Sims. Sullivan Thower
Toomer Turner. Walker Warren
Wheeler Williams and Mr President 22

The Senator Excused from voting was Mr Loughborough.

The Senators absent and not voting were Messrs Blackwell. Forney Gray Haycock Henderson Pindall Reagan and Tobey 8

So the Bill passed.

Reports from Standing Committees being in order Mr Walker acting Chairman of the Finance Committee asked and obtained leave to submit a report from that Committee so soon as the same could be prepared.

SB 272 Mr Turner by unanimous consent introduced a bill entitled "An act to amend Section 2635 chapter 56 of Gantts Digest and to conform the law on the subject of Exempted property to the IX Article of the Constitution of 1874; and for other purposes."

Which was read the first time.

On motion of Mr Turner the rules were then suspended - the Bill read the second time and referred to the Committee on the Judiciary.

SB 273 Mr Tobey in accordance with previous notice introduced a Bill Entitled "An act to prohibit the advertising of Lottery and gift enterprize tickets and like devices."

Which was read the first time.

On motion of Mr Tobey the rules were then suspended and the Bill read a second time and referred to the Committee on the Judiciary.

Mr Walker acting Chairman of the Finance Committee having now prepared his report. submitted the same, which is as follows.

Mr President.

The Finance Comm

-ittee to whom was refered Senate Bill no 240 have had the same under consideration and instructed me to report the accompanying bill "For an act to be entitled an act to provide for the purchase of the bonds of any County of this State." as a substitute and recommend that the Substitute pass. All of which is respectfully submitted.

SS for SB 240

The report was received and adopted, and the Substitute Bill reported by the Committee was read the first time.

On motion of Mr Haycock the rules were then suspended and the Substitute Bill was read the second time and adopted and made the Special order for Eleven O'clock and thirty minutes on tomorrow.

Mr Loughborough of the Finance Committee asked and obtained leave to withdraw Senate Bill 240 from the Secretarys desk, until tomorrow.

SB 240

Under the order of business House memorial No 37 was called up and read the second time, and on motion of Mr Warren was refered to the Committee on Memorials.

HJM 37

Senate Bill 242 "An act repealing sections 5125, 5126 and 5127 of Gantts Digest Establishing County Boards of Equalization." was then called up and read the third time, and on motion of Mr Grey was re-committed to the Committee on the Judiciary.

SB 242

The Special order for this hour being Senate Bill No 249. "An act to amend Section ten of the forcible Entry and Detainer law." was then called up and the Bill was read the third time and placed upon its passage.

SB 249

The question then being put, Shall the Bill pass? it was decided in the affirmative, ayes 22, Nays none. Excused from voting 1. absent and not voting 8.

Those Senators voting in the affirmative were
Messrs Black, Brown, Campbell
Fletcher, Grey, Hart Haycock
Hicks House Johnson Loughborough
Norman Sims, Sullivan Tobey
Toomer Turner Walker Warren
Wheeler Williams and Mr President 22

The Senator excused from voting was Mr East 1

Those Senators absent and not voting were Messrs Blackwell Forney
Henderson Jones M Callum Pindall
Reagan and Thrower 8

So the Bill Passed

A Message from the House by their assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
November 8th 1875

Mr President

HJR 38 — I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H.J. Resolution No 38. A joint resolution to adjourn the General Assembly Sine Die at 12 noon November 30th 1875. — Also the adoption by

SCR 40 — the House of S.C.R. No 40. A "resolution on the subject of fees". Also of the rejection

S'm no 6 — by the House of Senate Memorial No 6 "A Memorial to Congress for the improvement of the mouth of the Mississippi River" and herewith respectfully transmit the same.

J W Goulding. Clerk

S'f Mem 11 — Mr Turner by unanimous consent introduced a memorial to the Congress of the United States to make a survey of the upper Arkansas River.

Which was read the first time.

On motion of Mr Turner the rules were then suspended and the memorial read the sec

-ond time and on motion of Mr Fletcher was refer-
-red to the Committee on Memorials.

Under the order of business House Bill 219 "an act amendatory of Existing laws regulating the sale of the lands of the State," was then taken up and read the first time.

HR 219 On motion of Mr Hicks the rules were then suspended and the Bill read the second time and referred to the Committee on State lands and 150 copies ordered printed.

Under the order of business House Bill 215 "An act to change the time of holding the Courts in the several Counties of the third Judicial

HR 215 Circuit of Arkansas." was then taken up and read the first time, and was placed in its order on the Calleuder.

Under the order of business House Bill 222 "An act authorizing the County and Probate

HR 222 Judges to draw their Salaries' and for other purposes." was called up and read the first time.

On motion of Mr Warren the rules were then suspended - the Bill read the second time and made the Special order for Eleven O'clock and thirty minutes on Wednesday next.

Mr Pindall appeared within the bar of the Senate and answered to his name.

The Special order for this hour being Senate Bill 258 "An act requiring all State and Coun-

SB 258 - ty Officers to procure their commissions and for other purposes", was then called up and read the third time and placed upon its passage.

The question then being, shall the Bill pass? it was decided in the affirmative. Ayes 22. Nays none. absent and not voting 9.

Those Senators who voted in the affirmative were Messrs

Monday Nov. 8th

Black Brown. Campbell East
Fletcher Haycock Hicks Jones
Loughborough. McCallum Norman Pindall
Sims Sullivan Thrower Tobey
Toomer Turner Warren Wheeler
Williams and Mr President 22

Those Senators absent and not voting were Messrs Blackwell. Forney.
Grey Hart Henderson House
Johnson Reagan and Walker 9

So the Bill passed

The consideration of the report of the Minority of the Finance Committee on
SB 245 Senate Bill 245 was then resumed and after discussion of the same.

Mr Warren moved that the Senate adjourn. Which was not agreed to.

And the consideration of the minority report was resumed. and after further debate, was postponed until after the reading of the Journal on tomorrow morning.

Upon motion of Mr Williams The Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary.

Senate Journal
Tuesday Nov 9th 1875
10 O'Clock A M

The Senate met pursuant to adjournment

The Secretary called the roll, and the following Senators answered to their names, Mr President Bunch and Messrs

			Black
Brown	Campbell	Fletcher	Gray
Hart	Hicks	House	Jones
Loughborough	McCallum	Norman	Sims
Sullivan	Toomer	Turner	Walker
Warren	Wheeler	and	Williams 21

Those Senators absent at the call of the roll were Messrs

		Blackwell	East
Forney	Haycock	Henderson	Johnson
Pindall	Reagan	Thomas	and Tobey 10

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and corrected and approved and signed by the President and Secretary.

Mr Loughborough asked and obtained leave of absence for the Chaplain for a few days

Mr Campbell chairman of the committee on Enrolled Bills asked to have the Journal of yesterday corrected by correcting the reading of his report from the committee on Enrolled Bills

Which was done and the report as corrected reads as follows.

Mr President

The Committee on Enrolled Bills have examined Senate Substitute for House Bill No 68 and Senate Bill No 204 and have instructed me to report same correctly enrolled. Said Bills have been signed by

HB 68
SB 204

the Speaker of the House and President of the Senate and delivered to his Excellency the Governor for his Consideration. Campbell Chairman

The Senate then resumed the consideration of the adoption of the minority report of the Finance Committee.

A message from the House by their assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
November 9th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 194 "An act providing for change of venue in Criminal Cases before Justices Courts." Senate Bill No 190 "An act to regulate the appointment and duties of Prosecuting Attorneys pro tem and for other purposes" Senate Bill 180 "An act to amend the attachment laws of Arkansas. House Bill No 247 "An act changing the time of holding the Probate Court of Jackson County." House Bill No 232 "An act changing the boundary line between Drew and Chicot Counties." House Bill No 234 "An act to amend Section 75 of an act entitled "an act fixing the regular terms for holding the County Courts of the State, and for fixing the salary of the County Judges, and the per diem pay of associate Justices in the Several Counties of this State approved February 5th 1875." Also of the agreement of the House to the Senate amendments to House Bill No 160 "An act to redistrict the State for Congressional purposes." and herewith respectfully transmit the same.

SB 194
SB 190
SB 180
HB 247
HB 232
HB 234
S. Amend to HB 160

Chas C Reid Jr
1st Asst Clerk

The consideration of the report of the Finance Committee was resumed

A message from the Governor by his private Secretary Genl C A Wood who appeared within the bar of the Senate and read as

Tuesday Nov 9th

follows.

State of Arkansas
Executive Office
Little Rock Nov 8th 1875

To the Hon President of the Senate and the members thereof. Gentlemen

SB 204 I have approved and signed Senate Bill No 204 "An act in relation to suits in the name of the State against Corporations and to vacate or repeal Charters." Also Senate Substitute

HR 68 for House of Representatives Bill No 68. "An act to prevent Criminal abortion" and herewith return the same

Very Respectfully &c
A H Garland
Governor of Arkansas

The consideration of the minority report of the Finance Committee was then resumed.

The question then being. Shall the minority report of the Committee on Finance be adopted? it was by a rising vote decided in the affirmative Ayes 18.

So the report was adopted which

SB 245 rejects Senate Bill No 245 and the amendments thereto

Mr Loughborough moved that the rules be suspended and the several Bills reported by the Finance Committee be taken up in their order.

Which was agreed to

SB 253 Senate Bill 253. "A Bill for an act to be entitled An act to authorize the State Board of Finance to borrow money to pay the Expenses of the State Government and to pledge the Bonds of the State as security." was then taken up and read the second time.

Mr Loughborough then proposed to amend the bill as follows Strike out all after the words "said obligations" where they occur in the Sixth line down to the word "further" where it occurs in the twelfth line, the words stricken out by the proposed amendment are as follows "said the" and "said" and to strike out the words "the" and "said aforesaid" where it occurs in the fourteenth line and insert in lieu thereof the words "An act entitled an act to provide means for paying the Expenses of the State Government and to retire the outstanding

Auditors warrants and Treasurers Certificates" approved December 23rd 1874."

Which amendment was read the first time and on motion of Mr Loughborough the rules were then suspended and the amendment read the second time.

Messrs East and Johnson appeared within the bar of the Senate and answered to their names.

SB 254 Senate Bill no 254 "A Bill for an act to be entitled "an act to provide for the liquidation of the obligations of the State." was then taken up and read the second time.

SB 255 Senate Bill no 255 "A Bill for an act to be entitled "an "act to amend an act entitled "an act to amend the revenue laws of the State "approved March 5th 1875." was then taken up and read the second time.

SB 256 Senate Bill no 256 "A Bill for an act to be entitled "An act to provide for funding the Auditors warrants and Treasurers Certificates issued since the 23d day of December 1874." was then taken up and read the second time.

SB 265 Senate Bill no 265. "An act to authorize the State Board of Finance to borrow money from the interest fund to defray the current Expenses of the State Government" was then taken up and read the second time.

Mr Pindall proposed to amend the Bill by inserting the words "from time to time" between the word "directed" where it occurs in the first line and the words "to deposit" where they occur in the second line.

The amendment was read the first time and on motion the rules were suspended and the amendment read the second time.

Mr House then by unanimous consent introduced a Bill to be entitled

SB 274 "An act to authorize the State Board of Finance to borrow money to pay the Expenses of the State Government and to hypothecate the Bonds as

SB 254 Auditors warrants certificates approved December 23rd 1874 and not be required to exceed the amount of said Bonds or Certificates for any one year or be issued within such year."

Tuesday Nov 9th

security". Which was read the first time and on motion of Mr Loughborough the rules were then suspended and the Bill read the second time, and on motion 150 copies ordered printed

On motion of Mr Pindall the several Bills relating to finance being Senate Bills Nos 253. 254 255. 256. 265 and 274 were made the special order for Eleven O'Clock Tomorrow.

The Special order for this hour being the consideration of Senate Bill No 240 was then called up when

SB 240

Mr Jones moved to postpone the Special order to lay before the Senate the report of the Board of Trustees of the Industrial University of Arkansas.

Which communication was received and was without reading referred to the Committee on Education.

The Special Order for this hour being Senate Bill 240 "An act to dispose of Surplus funds remaining in County Treasurys". was then taken up and on motion was read the third time and placed upon its passage.

SB 240

The question then being shall the Bill pass? it was decided in the affirmative Ayes 22 Nays One, Absent and not voting 8

Those Senators voting in the affirmative were Messrs Black Brown Campbell East Fletcher Hart Haycock Hicks Johnson Jones McCallum Norman Pindall Sims Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President. 22

The Senator voting in the negative was Mr Thrower 1

Those Senators absent and not voting were Messrs Blackwell Forney Gray Henderson House Loughborough Reagan and Sullivan 8

So the Bill passed

HB 222

The Special Order for this hour being House Bill no 222 "An act authorizing the County and Probate Judges to draw their Salaries and for other purposes" was then called up when

Mr Norman moved to amend the Bill by inserting the word "quarterly" between the words "issue" and "warrants" where they occur in the fourth line of the first section.

Which amendment was read the first time and on motion the rules were suspended and the amendment read the second time, and adopted, and the Bill as amended was laid over under the rules

Mr Turner Chairman of the Judiciary Committee submitted the following report

Mr President

SB 244

The Committee on the Judiciary to whom was referred Senate Bill no 244 Entitled "an act to protect the children of this commonwealth in their right to acquire usefull trades" have had the same under consideration and ask leave to report the Bill back to the Senate and your Committee do recommend its passage.

SB 244

Senate Bill no 244 An act to protect the children of this Commonwealth in their right to acquire usefull trades", was then taken up and read the third time and placed upon its passage.

The question then being shall the bill pass? it was decided in the affirmative Ayes 15. Nays 5 absent and not voting 11.

Those Senators voting in the affirmative were Messrs Black Campbell East Hart Haycock McCallum Norman Sims Sullivan Tobey Toomer Turner Warren Wheeler and Mr President 15

Those Senators voting in the negative.

were Messrs Fletcher Hicks Jones Walker and Williams 5

Those Senators absent and not voting were Messrs Blackwell Brown Forney Gray Henderson House Johnson Loughborough Pindall Reagan and Thower 11

So the Bill passed

Mr Turner Chairman of the Judiciary Committee also submitted the following report.

Mr President

The Committee on the Judiciary to whom was referred House Bill no 202 entitled "An act to assess all the lands in the State heretofore donated to any Railroad or Railroad Corporation, when the title to such lands has passed from the Government of the United States," have had the same under consideration, and your Committee instruct me to report the Bill back to the Senate and they do recommend the passage of the same.

HB 202

And then on motion of Mr Turner the Bill was made the Special Order for Eleven O'Clock on Friday next.

Mr Williams Chairman of the Committee on Memorials submitted the following report.

Mr President

Your committee on Memorials to whom was referred Senate Memorial No 8. with reference to the Southern Pacific road have instructed me to report the same back to the Senate with a recommendation that the same do pass with this amendment "by making the Eastern terminus of said road at Memphis Tennessee."

SJM no 8

The report of the committe was received and the amendment offered by the Committee was read the first time and on motion the rules were then suspended and the

Tuesday Nov 9th

amendment read the second time and adopted and the Memorial as amended was laid over under the rules.

Mr Williams Chairman of the committee on memorials also submitted the following report.

Mr President

Your committee on memorials to whom was referred Senate Memorial no 10 have had the same under careful advisement and have instructed me to report the same back and recommend that the same do pass.

SJM 10

The report of the Committee was received and adopted and on motion of Mr Campbell the Memorial assigning for an appropriation for the improvement of White River was read the third time and placed on its passage.

The question then being shall the memorial pass? it was decided in the affirmative Ayes 18 Nays 1. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Black Brown Campbell Fletcher Hart Hicks Johnson McCallum Norman Sims Sullivan Tobey Turner Walker Warren Wheeler Williams and Mr President 18

The Senator voting in the negative was Mr Jones 1

Those Senators absent and not voting were Messrs Blackwell East Forney Greg Haycock Henderson House Longsborough Pindall Reagan Thrower and Toomey 12

So the Memorial passed.

Mr Tobey acting chairman of the Committee on Agriculture Submitted the following report from that committee.

Mr President

Your committee

S'B 209

to whom was referred Senate Bill 259 have

had the same under consideration and a majority of said Committee have instructed me to report the Bill back to the Senate and recommend its passage.

The report of the Committee was received and Mr Walker moved to strike out the third section of the Bill.

Mr Jones moved to amend the amendment by striking out all the other sections of the Bill

Mr Warren moved as a substitute for the amendments, the indefinite postponement of the Bill which motion being put was adopted and the Bill was indefinitely postponed.

Under the regular order of business

Mr Norman by unanimous consent introduced a bill of which previous notice had not been given. [S B 275] Entitled "An act to require assessors to show in a separate column on his tax lists the number of School Districts in which the personal property is to be taxed and to pay said assessor for said services."

SB 275

Which was read the first time and placed on the calleander

Mr Johnson by unanimous consent previous notice not having been given, introduced a Bill [S B 276] entitled "A Bill to be entitled an act to amend section 3034 of Gantts Digest."

SB 276

Which was read the first time and placed on the calleander.

Mr Thrower by unanimous consent previous notice not having been given, introduced a Bill [S B 277] entitled "A Bill for an act to provide for fees in certain cases to pay the Judges of the Probate Courts for services." Which was read the first time and on motion of Mr Thrower the rules were suspended - the Bill read the second time and referred to the Special joint

SB 277

Committee on fees.

Mr Loughborough by unanimous consent previous notice not having been given introduced a Bill [SB 278] entitled "A Bill to be entitled an act to amend Sections 601 and 602 of Gantt's Digest and to limit the power of Courts and agents to make contracts and to regulate appropriations."

SB 278

Which was read the first time and placed on the calleuder.

On motion of Mr Walker the Senate then adjourned.

P. Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Senate Journal
Wednesday Nov 10th 1875
10 O'Clock A M

The Senate met pursuant to adjournment

The Secretary called the roll when the following Senators answered to their names. Mr President Bunch and Messrs Black.

Brown	Campbell	Fletcher	Grey
Hart	Haycock	Hicks	House
Johnson	Jones	McCallum	Norman
Pindall	Sims	Sullivan	Thower
Tobey	Turner	Walker	Warren
Wheeler and Williams			24

Those Senators failing to answer to their

Wednesday Nov 10th 1875

names at the call of the roll were Messrs Blackwell East Forney, Henderson, Longsborough, Reagan and Toomer

A Quorum announced as present

Prayer by the Rev Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Mr Jones by unanimous consent moved that "a committee of three on the part of the Senate be appointed by the President to Co-operate with a committee from the House whose duty it shall be to draft and report a Bill providing for a change of time in holding the Courts in the 8th Judicial Circuit"

The motion was adopted and the President appointed as such committee Messrs Jones East and Johnson,

SB 276 Senate Bill 276 was then taken up and read the second time and on motion of Mr Johnson was referred to the Committee on the Judiciary

Mr East appeared within the bar of the Senate and answered to his name

SB No 275 Senate Bill No 275 "An act to require assessors to show in a separate column on his tax books the number of school districts in which the personal property is to be taxed, and to pay said assessor for said services," was then taken up and read the second time.

On motion of Mr McCallum the rules were then suspended - the Bill read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided

in the affirmative Ayes 20. Nays 6. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Brown Campbell

SB 275 Hart Haycock House Johnson Jones Loughborough McCallum Norman Sims Sullivan Thrower Tobey Toomer Turner Warren Wheeler and Williams 20

Those Senators voting in the negative were Messrs East Fletcher Hicks Pindall Walker and Mr President. 6

Those Senators absent and not voting were Messrs Blackwell. Forney Grey Henderson and Reagan 5

So the Bill passed

SB 278 Senate Bill no 278. "A Bill to be entitled an act to amend Sections 601 and 602 of Gantt's Digest and to limit the power of County and Agents to make Contracts and to regulate appropriations." was then taken up and read the second time and on motion of Mr Loughborough was referred to the Committee on County and County Lines

HR 215 House Bill No 215 was then taken up and read the second time.

Mr Hart offered the following amendment to the Bill by striking out the word "Sixth" where it occurs in the 7th line from the bottom of page 1st, and insert the word "Seventh", also strike out the word "Seventh" in the 5th line from the bottom of second page, and insert the word "Eighth". Also strike out the word "Ninth" in the third line from the bottom, and insert the word "tenth". Also strike out the word "Eleventh" in the bottom line and insert the word "twelfth".

The amendment was read the first time and on motion of Mr Hart the rules were suspended and the amendment read the second time and adopted.

Wednesday Nov 10th 1875

S j m 8 Senate Joint Memorial No 8 "A memorial to the Congress of the United States in aid of the Southern Pacific Railroad", was then taken up and read the third time and placed upon its passage.

The question then being Shall the Memorial pass? it was decided in the affirmative, Ayes 19. Nays 6. absent and not voting 5. Excused from voting 1.

Those Senators voting in the affirmative were Messrs Black, Brown Campbell Fletcher Hart Haycock Hicks Johnson Loughborough McCallum Norman. Sims. Sullivan Roomer Turner Warren Wheeler Williams and Mr President - 19

Those Senators voting in the negative were Messrs. East. House Jones Rindall Thrower and Walker. 6

The Senator Excused from voting was Mr Tobey. 1

Those Senators absent and not voting were Messrs Blackwell Gorney Grey. Henderson and Reagan 5

So The Memorial Passed

HR 222 House Bill No 222 Entitled "An act authorizing the County and Probate Judges to draw their Salaries and for other purposes" -

was then taken up and read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 27. Nays none absent and not voting 4.

Those Senators voting in the affirmative were Messrs Black, Brown, Campbell, East, Fletcher, Greg Hart. Haycock, Hicks House. Johnson, Jones, Lough

-borough, McCallum, Norman, Pindall Sims Sullivan, Thorver, Tobey, Toomer, Turner
HR No 202 Walker, Warren, Wheeler, Willcams and Mr President. 27

Those Senators absent and not voting were Messrs Blackwell, Forney, Hen-derson and Reagan. 4

So The Bill Passed.

HJR No 38 House Joint Resolution No 38 "A Resolution to adjourn Sine Die on the 30th November 1875" was then taken up and read the first time and on motion of Mr Fletcher the rules were suspended and the Resolution read the second time.

Mr Hicks moved to amend the Resolution "by sticking out the preamble" which amendment was read twice and

Upon motion of Mr Pindall the Resol-ution together with the proposed amend-ment was referred to a Special Committee and the President appointed Messrs Pin-dall, Hicks Sims, Fletcher and Campbell, as such Committee.

HR 232 House Bill No 232 "An act to change the boundary line between the Counties of Chicot and Drew" was then taken up and read the first time and on motion of Mr Nor-man the rules were suspended and the Bill was read the second time and on motion of Mr Pindall was referred to the Committee on County and County lines.

HR 234 House Bill No 234 "An act to amend Sec-tion 75 of an act entitled an act fixing the regular terms for holding the County Courts of the State and for fixing the salary of the County Judges and the per diem pay of associate Justices in the several Counties of this State" approved February 5th 1875." was then taken up and read the first time.

Wednesday Nov 10th 1875

On motion of Mr House the Rules were then suspended and the Bill read the second time, and Mr House moved to have the Bill made the Special order for 11 O'clock on Friday next.

Mr Pindall offered as a substitute that the Bill be referred to the Committee on Finance, which was adopted.

HR 247 House Bill No 247 "An act changing the time of holding the Probate Court in Jackson County" was then taken up and read the first time.

On motion of Mr Hart the rules were then suspended and the Bill read the second time.

Mr Hicks moved to amend the Bill by adding after the word "Jackson" the words "and Lonoke" which was read the first time.

On motion the rules were then suspended and the amendment was read the second time and adopted.

Mr Campbell Chairman of the committee on Enrolled Bills submitted the following report.

Mr President,

The Committee on Enrollments have examined Senate
SB 180 Bills Nos 180, 190 and 194 and have ins-
" 190 tructed me to report the same correctly
" 194 enrolled. Said Bills have been signed by the Speaker of the House of Representatives & the President of the Senate respectively and presented to his Excellency the Governor for his consideration.

The report was received.

The first Special order for this hour being
SB 253 Senate Bill 253 was then taken up and the proposed amendment was read and adopted.

Mr Pindall then offered the following amendment to Senate Bill 253. by adding at the end of the first section after the word "year" the following words, to wit: "And the said Board shall not pay a greater interest on the sum borrowed than ten per centum per annum.

The amendment was read the first time and on motion of Mr Pindall the rules were then suspended and the amendment read the second time and adopted.

Mr Pindall then offered a further amendment to Senate Bill No 253 by adding a second section to the Bill as follows, to wit: "That a sufficient sum not exceeding twenty five thousand dollars per annum for two years is hereby appropriated out of the fund collected to pay the interest on the public debt, to pay the interest accruing on the money borrowed as authorized in this act. That a sufficient sum not to exceed two hundred and fifty thousand dollars per annum is hereby appropriated out of the general revenue fund to pay the principal of said money borrowed as aforesaid when the same becomes due. That if when said money becomes due, there shall not be sufficient money in the Treasury belonging to the general revenue fund to pay the same - the State Board of Finance is authorized and directed to deposit in the State Treasury to the credit of the interest fund, such number of the bonds authorized to be issued by the said act of the General Assembly, approved December 23d 1874 as may be necessary to procure money to pay the amount due on the money borrowed under the provisions of this act. That upon receiving said bonds from said Board of Finance the Treasurer shall place them to the credit of the fund to pay the interest on the public debt and take from said fund the amount of such bonds so deposited and apply

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the same to the payment of the amount due for the money borrowed - provided that any and all interest collected on the bonds hypothecated by the holders thereof shall be applied, first to the payment of the interest on the sum borrowed by the board of finance and second to the payment of the principal of said sum.

The interest accruing on the bonds so deposited shall be paid into the Treasury to the credit of the interest fund until the bonds are redeemed by the replacing the amount."

The second amendment was read the first time and on motion of Mr Pridall the rules were then suspended and the second amendment read the second time

A Message from the House by their assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 10th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of Senate
SB 250 Bill no 250 entitled "An act to permit Sheriffs to take bail in certain cases."
HR 248 House Bill 248 entitled "An act to prescribe the manner and time of electing Special County and Probate Judges."
SB 124 Senate Bill 124 entitled "an act for relief of purchasers of Swamp Lands."
HR 216 House Bill 216 entitled "An act in relation
HR 253 to swamp lands." House Bill 253 entitled "An act to consolidate the general Insurance Laws of the State of Arkansas, and the act amendatory thereof, approved February 27th 1875. entitled "An act to establish an Insurance Bureau, and to abolish the Office of Insurance Commissioner." and herewith respectfully transmit

the same for your favorable consideration
J W Goulding. Clerk

SB 253 The consideration of the second amendment to Senate Bill 253 was resumed and after argument, the question being put, Shall the amendment be adopted?

Mr House called for the ayes and nays, which call was sustained and the question was decided in the affirmative, Ayes 24. Nays 3 absent and not voting 4.

Those Senators voting in the affirmative were Messrs Black, Campbell Fletcher, Grey, Hart, Haycock, Hicks Johnson, Jones, Loughborough, McCallum Norman, Pindall, Sims, Sullivan, Thower Tobey, Toomer, Turner, Walker, Warren Wheeler, Williams and Mr President 24

Those Senators voting in the negative were Messrs Brown East and House 3

Those Senators absent and not voting were Messrs Blackwell, Forney, Henderson and Reagan. 4.

So the amendment was adopted

SB 254 " " 265 On motion of Mr Pindall Senate Bills No 254 and 265 were then laid on the table

SB 253 " " 255 On motion of Mr Loughborough the Senate then resolved itself into committee of the whole in consideration of Senate Bills No 253 and 255, and Mr Hicks was called to the chair.

After some time spent in consideration thereof, the committee rose and through its chairman reported the Bills back with an amendment to section 1 of SB 253, which amendment is as follows, to

Wednesday Nov 10th 1875

Strike out the words "with power of sale on default of payment of said loans on a notice of twenty days to said Board of Finance of the time and place of said sale" and insert in lieu thereof the words following, to wit: "That upon default of payment of the principal sum or interest on said obligations as the same may become due, a sufficient amount or number of said Bonds so hypothecated to pay off the interest or principal sum then due, may be sold at public sale at the City of New York or the City of Little Rock after having given at least thirty days notice of the time and place of sale to said Board of Finance; said notice shall be given by public advertisement in at least one of the leading papers published in the City of Little Rock."

The amendment was read the first time and on motion the rules were then suspended and the amendment read the second time and adopted.

SB 253 " " 255

Mr Loughborough then moved that Senate Bill No 253 be engrossed for a third reading and that it together with Senate Bill No 255 be made the special order for Eleven O'Clock on to morrow.

Which motion was agreed to

HR 247

Mr Hicks moved to re-consider the vote by which his amendment to House Bill No 247. was adopted.

Which motion was agreed to, the vote was then reconsidered and Mr Hicks granted leave to withdraw his amendment.

Mr Loughborough was excused from attendance for the the remainder of the day.

Mr Jones by unanimous consent called up House Bill No

HR 248

248. "An act to prescribe the manner and time of Electing Special County and Probate Judges" which was read the first time.

On motion of Mr Norman the Senate then adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Thursday Novr 11th 1875
10 O'Clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs.

Black.	Campbell	Fletcher	Hart
Hicks	House	Johnson	Jones
McCallum	Norman	Pindall	Reagan
Sims	Sullivan	Thrower	Tobey
Turner	Walker	Wheeler and	Williams 21

Those Senators absent at the call of the roll were Messrs Blackwell Brown East Forney Gray Haycock Henderson Loughborough Toomer and Warren. 10

A Quorum announced as present

Prayer by Revd Mr Burns

Thursday Nov 11th 1875

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary

On motion of Mr Fletcher Mr Haycock was granted a temporary leave of absence

Messrs East and Warren appeared within the bar of the Senate and answered to their names

HR 126 House Bill No 126. "An act to define the duty of County Judges in cases of Bastardy and Vagrancy" was called up and on motion of Mr Hicks was referred to the Committee on the Judiciary.

SB 256 Senate Bill No 256 "An act to provide for funding the Auditors Warrants and Treasurers Certificates issued since the 23rd day of December 1874." was then taken up and read for information.

On motion of Mr Hicks the Bill was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 20 Nays 3. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Campbell East. Fletcher. Grey, Hart. Hicks Johnson Loughborough M Callum Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler and Mr President 20

Those Senators voting in the negative were Messrs Black Horne and Pindall

Those Senators absent and not voting were Messrs Blackwell, Brown Forney Haycock Henderson. Jones Thrower and Williams. 8

So the Bill Passed

Mr Grey appeared within the bar of the Senate and answered to his name.

SB 274 Senate Bill No 274 "An act to authorize the State Board of Finance to borrow money to pay the Expenses of the State Government and to hypothecate the Bonds as security" was taken up and read for information and on motion of Mr Hicks was laid on the table subject to call.

Mr Campbell chairman of the Committee on Enrolled Bills submitted the following report.

Mr President

The committee on Enrollments have examined Senate Bill

SB 124 No 124 and have instructed me to report the same Correctly Enrolled. Said Bill has been signed by the presiding Officers of Each House of the General Assembly respectively and delivered to his Excellency the Governor for his consideration.

The report of the Committee was received.

SJM 12 Mr Pindall introduced "A memorial to the Congress of the United States asking that the title to the Hot Springs be settled."

Which was read the first time and on motion of Mr Pindall the rules were then suspended - the memorial read the second time and referred to the Committee on Memorials.

On motion of Mr Toomer the Hon J N Sauber was invited to a seat within the bar of the Senate.

Under the order of business Mr Hicks gave the following notice.

Mr President.

I give notice that I will at an early day introduce the following Bills. "An act to be entitled an

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act to provide for the enlargement of the grounds, and the extension of the walls of the State Penitentiary, and to provide for the erection of a new cell building for said Penitentiary". Also "an act to be entitled an act to prescribe rules for the regulation of the Penitentiary of the State and for the management thereof." Dick

Under the order of business Mr Johnson gave the following notice.

Mr President

Notice is hereby given that I will at an early day introduce a bill for an act to suspend any and all officers in this State from duty at any time after indictment, information or presentment for incompetency, corruption, gross immorality, criminal conduct, mal-feasance, misfeasance, or non feasance in office, until such charges are heard and disposed of and for other purposes."

Mr Turner under the order of business introduced the following Resolution.

"Resolved that a committee of three Senators be appointed to act in conjunction with five members of the House of Representatives to inquire into the expediency and propriety of dividing the fifth Judicial District and creating and establishing a new District out of the same.

The Resolution was adopted and the President appointed Senators Turner, Tobey and Wheeler as such committee on the part of the Senate.

Under the order of Business Mr M'Callum introduced the following resolution. "Resolved that the Special Committee to whom was referred the consideration of the Fee Bill &c be and they are hereby instructed to report their action in the matter at an early day." but by request withdrew the same.

Mr Turner Chairman of the Judiciary Committee submitted the following report

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 129 Entit-
SB 129 -led "An act to prescribe for whose benefit actions shall be brought and prosecuted for injuries resulting in death." have had the same under consideration and ask leave to report the Bill back to the Senate and they do recommend its passage.

The report of the Committee was rece-
-ived and adopted and Senate Bill No 129 was read for information, and

On motion of Mr McCallum Senate Bill No 129 entitled "An
SB 129 act to prescribe for whose benefit actions shall be brought and prosecuted for injuries result-
-ing in death." was then read the third time and placed on its passage.

The question then being, shall the bill pass? it was decided in the affirmative, Ayes 25. Nays 1. Absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black, Brown, Campbell East Flet-
-cher, Grey Hart Hicks House Jones Loughborough McCallum Norman Pin-
-dall Reagan Sims Sullivan Thayer Tobey Turner Walker Warren Wheeler Williams and Mr President 25

The Senator voting in the negative was Mr Toomer 1

Those Senators absent and not voting were Messrs Blackwell Forney Haycock, Henderson and Johnson 5

So the Bill Passed

A message from the House of Representatives by their assistant Clerk who appeared with-
-in the bar of the Senate and read as foll-
-ows. Hall House of Representatives

Thursday Nov 11th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of HR No 238 "An act to fix the time for the convening of the General Assembly of this State." Also HR No 240 "An act to amend Section 2790 Gantts Digest." Also HR No 249. "An act to amend Section 4483 Gantts Digest." Also HR No 154. "An act to define the line between Prairie and Lonoke Counties and for other purposes." Also HR No 239. "An act to authorize Cities of the first and second class to levy a tax of one hundred dollars on Auctioneers." Also HR No 230 "An act to include in the County of Bradley Sections 23 and 24 Township 17 South Range 10 west of 8th principal meridian." and herewith respectfully transmit the same for your favorable consideration.

HR 238
HR 240
HR 249
HR 154
HR 239
HR 230

J W Goulding. Clerk

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

Your committee to whom was referred Senate Bill No 253 it being "An act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government and to pledge the Bonds of the State as security." report the same correctly engrossed.

SB 253

The report was received.

The hour of Eleven O'Clock having now arrived, the Special order for that hour being Senate Bill No 253. "A Bill for an act to be entitled an act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government and to pledge the Bonds of the State as security." was taken up and read the third time and placed on its passage.

SB 253

The question then being

shall the Bill pass? it was decided in the affirmative. Ayes 26, Nays 1, absent and not voting 4.

Those Senators voting in the affirmative were Messrs Black, Brown, Campbell East Fletcher Grey Hart Hicks Johnson Jones Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thurver Tobey Tovner Turner Walker Warren Wheeler Williams and Mr President 26

The Senator voting in the negative was Mr House 1

Those Senators absent and not voting were Messrs Blackwell Forney Haycock and Henderson. 4

So the Bill Passed

The next Special Order for this hour being Senate Bill No. 255 "An act to amend an act entitled "an act to amend the revenue laws of the State approved March 5th 1875." was then taken up and read the third time and placed on its passage.

SB 255

The question then being put, shall the Bill pass? it was decided in the affirmative, Ayes 23, Nays 2, Excused from voting 1, Absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Brown, Campbell East Fletcher Grey Hart Hicks Johnson Jones Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thurver Tobey Turner Walker Warren and Williams 23.

Those Senators voting in the negative were Messrs Wheeler and Mr President 2

The Senator Excused from voting was Mr House 1

Those Senators absent and not voting

Thursday Nov 11th 1875

were Messrs Blackwell, Forney Haycock Henderson and Toomer 5

And So the Bill Passed.

Mr Turner Chairman of the Judiciary Committee also submitted the following report. Mr President

The committee on the Judiciary to whom was referred

SB 273 Senate Bill No 273 entitled "An act to prohibit the advertising of lottery and gift enterprize tickets and like devices." have had the same under consideration and ask leave to report the Bill back to the Senate with the following amendments, to wit: Amend in the fourth line of the first section immediately after the word "print" by striking out the word "or" and inserting in lieu thereof the word "and". Amend also in the same line by inserting immediately after the word "publish" the words "or cause to be printed and published." Also amend after the word "poster" in the sixth line of the first section by inserting the words "within this State". Amend also in the same line by inserting immediately after the word "lottery" the words "or post up any hand bills or distribute any circulars". And as thus amended your Committee do recommend the passage of the Bill.

The report of the Committee was received and the amendments were read the first time and on motion of Mr Turner the rules were suspended and the amendments were read the second time and adopted and on motion of Mr Sticks the bill was ordered engrossed for a third reading.

Mr Turner Chairman of the Judiciary Committee also submitted the following report.

Mr President. The Committee on the

SB 242 Judiciary to whom was referred Senate Bill No 242 entitled "An act repealing sections 5125 5126 and 5127 of Gantts Digest Establishing County Boards of Equalization" have had the same under consideration and ask leave to report the bill back to the Senate, and your committee do recommend its passage.

The report of the Committee was received and adopted and on motion of Mr Warren the Bill was read the third time and placed on its passage.

The question then being, shall the Bill pass? it was decided in the affirmative, Ayes 19. Nays. 3. Absent and not voting 9.

Those Senators voting in the affirmative were Messrs Black Brown Campbell Fletcher Gray Hart House Jones Loughborough McCallum Reagan Sims Sullivan Turner Walker Warren Wheeler Williams and Mr President 19

Those Senators voting in the negative were Messrs Hicks Norman and Pindall 3

Those Senators absent and not voting were Messrs Blackwell East Forney Haycock. Henderson Johnson Thower Tobey and Tonner 9

So The Bill Passed.

Mr House from the Committee on Rail roads submitted the following report.

Mr President.

HB 161 Your committee to whom was referred House Bill No 161. entitled "An act to prevent unjust discriminations in Charges for freight and protect persons travelling on Railroads." have had the same under consideration and they herewith return a substitute for same and recommend the passage of the substitute.

Thursday Nov 11th 1875

The Senate Substitute for House Bill no 161 was then read the first time and on motion of Mr House was adopted.

On motion of Mr House the Substitute Bill was read the second time and on motion of Mr Pindall was laid on the table subject to Call and 150 copies ordered printed for the use of the Senate.

SS for HB 161

A Message from the Governor by his private Secretary C A Wood who appeared within the bar of the Senate and read as follows.

Executive Office
Little Rock Nov 10th 1875

To the President of the
Senate of Arkansas and
the members thereof.

Gentlemen

I have approved and signed Senate Bill no 180 "An act to amend the attachment laws of Arkansas." Also Senate Bill No 190 "An act to regulate the appointment and duties of prosecuting Attorneys pro tem and for other purposes." Also Senate Bill no 194 "An act providing for a change of venue in criminal cases before Justices Courts." and herewith return the same.

SB 180
SB 190
SB 194

Very Respectfully
A H Garland
Governor of Arkansas

Mr Hicks Chairman of the Committee on Railroads Submitted the following report.

Mr President

Your Committee on Railroads and other Internal Improvements have had under Consideration Senate Bill No 150 entitled "An act amendatory of and Supplementary to the General Railroad law of this State." and beg leave to report the same back to the Senate with the recommendation that it do not pass.

SB 150

The report of the committee was received and adopted and Senate Bill No 150 was laid upon the table.

SB 150

Mr Pindall chairman of the Committee on Railroads submitted the following report.

Mr President

Your committee to whom was referred Senate Bill No 103 have had the same under consideration and direct me to report the same back with the recommendation that it do not pass.

SB 103

The report of the committee was received and adopted, and the Bill thereby laid on the table.

On motion of Mr Pindall Senate Bill No 239. "An act to authorize the refunding of County Bonds", was re-committed to the Committee on Finance.

SB 239

Under the order of business Mr Loughborough by unanimous consent, previous notice not having been given, introduced a Bill for an act entitled "An act to amend Section one of an act entitled an act to change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the Second Judicial Circuit to hold a term of the Circuit Court in each of the Counties of Greene Clayton and Craighead".

SB 279

Which was read the first time, and on motion the rules were then suspended and the Bill was read the second time and referred to the Committee on the Judiciary.

Mr Hicks by unanimous consent, previous notice not having been given introduced a Bill entitled "An act fixing the time of holding the County Court of Sevier County and for other purposes."

SB 280

Which was read

Thursday Nov 11th 1875

the first time and on motion of Mr Hicks the rules were suspended - the Bill read the second time and placed in its order on the Callender.

Mr Jones Chairman of the Committee on Expenditures by unanimous consent submitted the following report.

Mr President.

The Committee on Expenditures to whom was referred Senate Bill

S.B 104

No 104 "An act to fix salaries for Officers in this State." have considered the same and respectfully recommend that the Bill do pass, with the following amendments, to wit: Strike out "$400" where it occurs in Section ten and insert in lieu thereof "$600." Also insert the words "and five hundred" after the word "thousand" in Section nine. Also to strike out Sections thirteen and sixteen of the Bill.

The first amendment to strike out $400 and insert $600 in Section ten was read the first time and on motion the rules were suspended the amendment read the second time and rejected.

The second amendment offered by the Committee to insert the words "and five hundred" after the word "thousand" in Section nine, was read the first time and on motion the rules were suspended - the amendment read the second time and adopted.

The third amendment offered by the Committee "to strike out Sections thirteen and sixteen of the bill" was read the first time and on motion the rules were then suspended - the amendment read the second time and adopted.

Mr Pindall then moved to amend the Bill by striking out "two thousand and five hundred dollars" in Section Eight

and insert in lieu thereof "three thousand dollars"

The amendment was read the first time and on motion the rules were then suspended - the amendment was read the second time and rejected

Mr Loughborough then offered the following amendment to the Bill. To strike out the word "three" where it occurs in section twelve and insert the word "six" in lieu thereof.

The amendment was read the first time and on motion the rules were suspended and the amendment read the second time and adopted.

On motion of Mr Jones the Bill was then ordered engrossed

Mr Jones chairman of the committee on Expenditures by unanimous consent submitted the following report.

Mr President

The committee on Expenditures to whom was referred Senate Bill No 237. "An act to supply deficiences in the Supreme Court reports and to provide for the sale and distribution of the same." have had the same under consideration and recommend that the same do not pass.

SB 237

Mr Johnson moved that the report of the committee be rejected. and the question then recurring on the rejection or adoption of the report. the same was adopted. and Senate Bill no 237 was thereby laid on the table

On motion of Mr Warren the Senate adjourned.

Thomas W. Newton
Secretary

Bradley Barnes
President of the Senate

Journal of The Senate
Friday Nov 12th 1875
10 O'Clock A M

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names Mr President Bunch and Messrs. Black Blackwell
Brown Campbell East Fletcher
Grey Hart Hicks House
Johnson Jones McCallum Norman
Puidall Reagan Sims Sullivan
Thrower Tobey Toomer Turner
Walker Warren Wheeler and Williams 27

Those Senators failing to answer to their names at the call of the roll were Messrs Forney Haycock Henderson and Loughborough 4

A Quorum announced as present.

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Mr Hart by unanimous consent asked leave to instruct the Committee on County and County lines to whom was referred Senate Bill No. 263 entitled "An act for the relief of Marion County" to return the Bill to the Secretarys desk and that he have leave to withdraw the same.

SB 263

Which motion was adopted and Senate Bill 263 was returned by the Committee and withdrawn by Mr Hart.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report. Mr President

The Committee on

Enrollments have examined Senate Bill No 250 and
SB 250 have instructed me to report the same correctly
Enrolled. Said Bill has been signed by the
presiding Officers of both Houses of the General
Assembly and delivered to his Excellency the
Governor for his consideration.

The report of the Committee was received.

Under the regular order of business Mr Jones
introduced a bill of which previous notice
SB 281 had been given entitled "A Bill for an act
to repeal the Ku Klux law"

Which was read the first time
and on motion of Mr Jones the rules were
then suspended - the Bill read the second
time and referred to the Committee on the
Judiciary.

Mr Jones introduced a Bill
for an act to be entitled "An act to regulate
SB 282 the sale of lands belonging to this State in
certain cases."

Which was read the first time
and on motion of Mr Jones the rules were
then suspended - the Bill read the second
time and referred to the Committee on the Jud
-iciary.

Mr Brown Chairman of the Commu
-ittee on Engrossment submitted the follow
-ing report.

Mr President

Your committee to whom
SB 104 was referred Senate Bill No 104, it being an
act to fix Salaries in this State report the
same correctly engrossed.

The report of
the Committee was received.

Mr Brown moved to re-consider the vote
SB 104 by which Senate Bill No 104 was passed
to a third reading, but withdrew the
same upon explanation by Mr Jones.

A message from the House by their first
Assistant Clerk who appeared within
the bar of the Senate and read as

Friday Novr 12th 1875

follows,

Hall House of Representatives
Nov 11th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H R No 88 "An act to amend sections 5050 and 5054 Gantts Digest." Also H J R No 31 "A Joint Resolution expressive of the sorrow caused by the death of Hon G M Sharpe." Also Senate Bill No 246 "An act to change the time of holding the Circuit Court of White County." Also H R No 246 "An act to fix the Salaries of County and Probate Judges in the Counties therein named." Also Senate Bill No 251 "An act for the relief of the securities of John P Bull as Sheriff and collector of taxes in the County of Hempstead." and herewith respectfully transmit the same for your favorable consideration.

HR 88
HJR 31
SB 246
HR 246
SB 251

C C Reed Jr
First ass^t Clerk

A further message from the House.

Hall House of Representatives
Nov 12th 1875

Mr President.

I am instructed to inform your honorable body that in compliance with the action of the Senate on yesterday, the House has appointed on the Committee respecting the 8th Judicial, Messrs Durham and others members of said Committee

That in respect to the division of the 5th Judicial Circuit, the House has appointed Messrs Kerr, Greene Fullen Spangler & Sadler

Chas C Reed Jr
1st Assistant Clerk

Mr Fletcher by unanimous consent gave the following Notice.

I give notice I will at an early day introduce a Bill entitled "An act to give landlords a lien on the crop grown on the land rented, for supplies fur-

-nished to the tenant to make the crop.

Mr McCallum by unanimous consent introd-
-uced a Bill of which previous notice had
SB 283 not been given, entitled "An act to authorize
the sale of Gantts Digest and other books by
the Secretary of State and for other purposes."
Which was read
the first time and on motion of Mr McCallum
the rules were suspended - the Bill read the
second time and referred to the Committee
on Expenditures.

Under the order of business House Bill
HB 248 no 248 "An act to prescribe the manner and
time of Electing Special County and Probate
Judges." was taken up and read the second
time and was on motion of Mr Hicks referred
to the Committee on the Judiciary.

Mr Brown Chairman of the Committee on
Engrossed Bills submitted the following
report. Mr President
Your Committee
to whom was referred Senate Bill No 273
it being an act entitled an act to prohibit
SB 273 the advertisement of Lottery and gift Enter-
-prize tickets and like devices report the
same correctly engrossed.
The report of
the Committee was received.

SB 273 Senate Bill No 273 "An act to prohibit the
advertisement of Lottery and gift enterprize
tickets and like devices." was then under
the order of business taken up and read
the third time and placed on its passage.

The question then being put shall the Bill
pass? it was decided in the affirmative
Ayes 23. Nays none. Absent and not
voting 8.
Those Senators voting in the
affirmative were Messrs Black, Blackwell

Friday Nov 12th 1875

Campbell, East, Fletcher, Grey Hart Hicks House McCallum Norman Reagan Sims Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs Brown Forney Haycock Henderson Johnson Jones Loughborough and Puidall 8

So the Bill Passed.

SB 104 Senate Bill no 104 "An act to fix salaries for officers in this State." was then taken up read the third time and placed on its passage. The question then being Shall the Bill pass? it was decided in the affirmative Ayes 17. Nays 9. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Campbell Grey. Hart. Hicks. House Johnson Jones McCallum Norman Sims Sullivan Toomer Turner Walker. Warren and Wheeler. 17

Those Senators voting in the negative were Messrs Blackwell East Fletcher. Puidall Reagan Thower Tobey Williams and Mr President. 9

Those Senators absent and not voting were Messrs Brown Forney Haycock Henderson and Loughborough 5

Before the vote was announced Mr East changed his vote from Aye to no and gave his reasons therefor.

So the Bill Passed.

SB 280 Senate Bill no 280 "An act fixing the time of holding the County Court of Lincoln County and for other purposes." was then taken up and read the third time and on motion of Mr Hicks was indefinitely post-poned.

H R 215 House Bill no 215. "An act to change the time of holding the Courts in the several Counties of the third Judicial Circuit of Arkansas" was then taken up - read the third time and placed on its passage.

A message from the Governor by his private Secretary Geul E A Wood who appeared within the bar of the Senate and read as follows.

Executive Office
Little Rock Nov 12th 1875

To the Hon President of
the Senate of Arkansas and
the members thereof.

Gentlemen

I have approved
and signed Senate Bill no 124 An act for
SB 124 the relief of purchasers of Swamp lands and
I herewith return the same.

Very Respectfully
A H Garland
Governor of Ark.

H R 215 The consideration of H Bill no 215 was then resumed. The question then being Shall the Bill pass? it was decided in the affirmative Ayes 25. Nays none. Absent and not voting 6.

Those Senators voting in the affirmative were Messrs Black Blackwell Campbell East Fletcher Grey Hart Hicks House Johnson Jones McCallum Norman Pindall Sims Sullivan Thower Tobey Tovner Turner Walker Warren Wheeler Williams and Mr President. 25

Those Senators absent and not voting were Messrs Brown Forney Haycock Henderson Loughborough and Reagan 6

So The Bill Passed

H R 247 House Bill no 247 "An act changing the time of holding the Probate Court in Jackson County" was then taken up - read the

Friday Nov 12th 1875

third time and placed on its final passage.

The question then being shall the Bill pass, it was decided in the affirmative, Ayes 25. Nays none, absent and not voting 6.

Those Senators voting in the affirmative were Messrs Black, Blackwell, Campbell East Fletcher Hart Hicks House Johnson Jones McCallum Norman Pindall Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 25

Those Senators absent and not voting were Messrs Brown Forney Grey Haycock Henderson and Loughborough 6

So the Bill Passed.

The Special Order for this hour being House Bill No 202 was then taken up and on motion of Mr Jones was postponed on account of the absence of Mr Loughborough and on motion of Mr House it was further postponed until Eleven O'Clock on Monday next.

HR 202

Under the order of business House Bill no 216 "An act in relation to swamp lands" was taken up - read the first time and placed on the Calleuder.

HR 216

House Bill no 239 "An act to authorize cities of the first and second Class to levy a tax of one hundred dollars on Auctioneers" was taken up - read the first time and placed in its order on the Calleuder.

HR 239

House Bill No 154 "An act to define and establish the line between Prairie and Lonoke counties" was next taken up and read the first time.

HR 154

On motion of Mr Hicks the rules were then suspended the Bill read the

second time and made the Special order for Eleven o'clock on tomorrow.

HR 238 House Bill No 238 "An act to fix the time for the convening of the General Assembly of this State." was then taken up read the first time and on a suspension of the rules was read the second time and referred to the Committee on Elections.

On motion of Mr East the Hon J D McCabe was invited to a seat within the bar of the Senate.

HR 249 House Bill No 249 "An act to amend Section 4483 of Gantts Digest." was then taken up and read the first time and placed on the calleuder.

Mr Loughborough being now present, Mr House moved to reconsider the vote by which the Special order for 11 o'clock this day, was postponed to monday next.

Which motion was adopted and the Special Order being House Bill No

HR 202 202 "An act to assess all the lands in the State heretofore donated to any Rail road or Railroad corporation." when the title to such lands has passed from the Government of the United States." was taken up and read a third time and placed on its passage.

The question then being shall the bill pass? it was decided in the affirmative Ayes 26. Nays none. Absent and not voting 5

Those Senators voting in the affirmative were Messrs Black. Blackwell Campbell East. Fletcher. Gray Hart Hicks House Johnson Jones Loughborough McCallum Norman Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren

Friday Nov 12th 1875

Wheeler Williams and Mr President 26

Those Senators absent and not voting were Messrs Brown Forney Haycock Henderson and Pindall 5

So the Bill Passed

HR 240 House Bill No 240 "An act to amend section 2790 of Gantts Digest." was then taken up read the first time and placed on the calender.

HR 230 House Bill no 230 "An act to include in the County of Bradley sections 23 and 24 Township 17 South Range 10 West of the 5th Principal Meridian." was next taken up and read the first time and on a suspension of the rules was read the second time and referred to the Committee on County and County lines.

HR 253 House Bill No 253 "An act to construe the General Insurance laws of the State of Arkansas and the act amendatory thereof Approved February 25th 1875 Entitled an act to Establish an Insurance Bureau and to abolish the office of Insurance Commissioner" was then taken up and read the first time.

On motion of Mr Fletcher the rules were then suspended - the Bill read the second time and referred to the Committee on Agriculture.

HJR 31 House Joint Resolution No 31 "A Resolution expressive of the sorrow caused by the death of the Hon G M Sharpe." was taken up and read the first time, and on motion of Mr Hicks was adopted.

HR 88 House Bill no 88 "An act to amend Sections 5050 and 5054 of Gantts Digest." was then taken up read the first time and placed in its order on the calleuder.

HR 246 House Bill No 246. "An act to fix the

HR 246 Salaries of the County and Probate Judges in the Counties therein named," was then taken up and read the first time and on motion of Mr Walker the rules were suspended and the Bill read the second time.

Mr McCallum moved to amend the Bill by striking out the words "four hundred dollars" for Hot Springs County where it occurs in the Bill.

The amendment was read the first and a second time under a suspension of the rules and was adopted.

Mr Norman moved to amend the Bill by adding at the end of Section 1. "For the County of Ashley five hundred dollars per annum." and "for the County of Drew five hundred dollars per annum".

Which amendment was read the first time and a second time under a suspension of the rules and adopted.

Mr Johnson moved to amend by striking out "Six hundred dollars". and inserting in lieu thereof "five hundred dollars" for Miller County.

The amendment was read the first time, and under a suspension of the rules was read a second time and adopted.

Mr Turner moved to amend the bill by adding to the end of Section one "for the County of Crawford five hundred dollars".

The amendment was read the first and second time and adopted.

Mr Williams moved to amend by adding to the end of Section one "for the County of Sharpe "five hundred dollars"

Friday Nov 12th 1875

The amendment was read the first and second time under a suspension of the rules and adopted.

Mr Toomer moved to amend by adding to the end of section one "for the bounty of Yell five hundred dollars per annum."

The amendment was read the first time and on motion the rules were then suspended and the amendment read the second time and adopted.

On motion of Mr Johnson the Bill and amendments was referred to a special committee of five and the President appointed Messrs Johnson Reagan Toomer Thrower and Williams as such committee.

Mr Warren Chairman of the Committee on Claims by unanimous consent submitted the following report.

Mr President

The committee on claims to whom was referred Senate Bill No 269 have had the same under consideration and have instructed me to report the accompanying Bill as a substitute for said Bill and recommend its passage.

SB 269

The report of the committee was received and the Substitute Bill was read the first time and adopted.

On motion of Mr Hicks the rules were then suspended the Bill read the second time and placed in its order on the calendar.

On motion of Mr Loughborough House Bill No 240 "An act to amend Section 2790 of Gantts Digest" was called up and read the sec-

HB 240

-ond time and referred to the committee on Auditors and Treasurers Books".

Mr House by unanimous consent introduced a bill of which previous notice had not been given entitled "An act to appropriate ten thousand dollars to the Blind Institute for building purposes".

SB 284

Which was read the first time, and on motion of Mr House the rules were suspended the bill read the second time and referred to the committee on Expenditures.

Mr House by unanimous consent called up House Bill No 216 "An act in relation to Swamp lands" which was read the second time and referred to the Committee on State Lands and 150 Copies ordered printed.

HR 216

House Bill No 219 "An act amendatory of Existing laws regulating the sale of the lands of the State" was then reported back to the Senate by Mr Jones the Chairman of the Committee on State Lands as follows. Mr President

HR 219

The committee on State Lands to whom was referred House Bill No 219 "An act amendatory of Existing laws regulating the sale of the lands of the State" have had the same under consideration and direct me to report the Bill back and recommend the following amendments.

After the word "one" in the 3d line of the 2nd Section of the printed Bill insert the word "weekly" and strike out all after the word "published". — In the 3d line of 2nd Section printed Bill to and inclusive of the word "any" in the 5th line and insert in lieu thereof the following "in the County where the

HR 219

Friday Nov 12th 1875

lands are situated and if there be no paper published in "such County then the lands "situated in such County having no paper "published therein shall be advertised "in some weekly news paper published "at the Capitol of the State".

And that the following be adopted as Section 7 of said Bill. "Be it further "Enacted; That sixty per cent of the "money paid into the State Treasury on "account of the sale or redemption of "Lands sold or redeemed under the pro-"visions of this act shall be by the "Treasurer passed to the credit of the "County in which the lands sold or "redeemed are situated and shall be "paid to such County upon the order "of the Treasurer of the County entitled "thereto" and that section 7 of the printed Bill be numbered 8 and succeeding sections be made to conform thereto, and that the Bill as amended do pass.

The report of the committee was received and the amendments were read the first time and on motion the rules were suspended and the amendments were read the second time, and taken up in the order in which they were recommended by the Committee.

Pending discussion upon the first amendment upon motion of Mr Walker the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Heyer
Secretary

Senate Journal
Saturday Nov 13th 1875
10 O'clock A M

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Black Blackwell. Brown Campbell Fletcher Grey Hart House Johnson Jones Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thrower Tobey Turner Toomer Walker Warren Wheeler and Williams 26

Those Senators absent at the call of the roll were Messrs East Forney Haycock Henderson and Hicks

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Senators East and Hicks appeared within the bar of the Senate and answered to their names.

HR 219

On motion of Mr Pindall the regular order of business was suspended and the Senate resumed the Consideration of the amendments to House Bill No 219. and

On motion of Mr Warren the Bill together with the amendments was re-committed to a Special Joint Committee of three on the part of the Senate and five on the part of the House and the President appointed Messrs Warren Grey and Pindall

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as such Committee on the part of the Senate.

Under the order of business Mr Campbell introduced a memorial in aid of the Ladies Benevolent Association of Little Rock, which was received, and

Mr Campbell offered the following Resolution

Resolved: That a committee of three be appointed by the President to act in conjunction with a committee that may be appointed by the House on the same subject with instructions to take into consideration the subject matter contained in the memorial of the Ladies Benevolent association and report the result of their deliberations with the recommendation as in their opinion the premises demand.

The Resolution was adopted and the President appointed Messrs Campbell Loughborough and McCallum as such committee.

On motion of Mr East Ex Governor Hill Rector was invited to a seat within the bar of the Senate.

Under the order of business Mr Hart presented a petition of Citizens of Boone County which on motion of Mr Hart was referred to the Committee on County and County Lines.

Mr Hart presented a second petition signed by citizens of Boone County which was also referred to the Committee on County and County Lines.

Mr Hicks presented a petition and notice of many citizens of Prairie County which was read and placed with House Bill No. 154.

Under the order of business Mr Grey gave the following notice.

I desire to give notice

that I will introduce a Bill to amend an act to amend Section 1357 of Gantt's Digest.

Mr Hicks gave the following notice

Mr President

I give notice that I will at an early day introduce a bill Entitled "An act to amend the revenue laws of this State."

Mr Tobey introduced the following Resolution.

Resolved.

That the committee on the Penitentiary be instructed to inquire into the expediency of so changing the Criminal Code as to save the State from the expense of Enlarging the Penitentiary and its walls, by the infliction of some other punishment than confinement in the Penitentiary for minor offences against the law and to report by Bill or otherwise.

Which was read the first time and adopted.

SJR No 42

Under the order of business Mr Turner introduced the following joint resolution. — "To authorize the appointment of Commissioners to report upon the feasability of introducing Sea and other fish into the water courses of Arkansas."

Which was read the first time and on motion of Mr Turner the rules were then suspended - the resolution read the second time and ordered Engrossed.

Mr Brown rose to a question of privelege and said that having been reported by the "Gazette" as having on yesterday voted "No" upon the passage of House Bill No 202 "An act to assess all the lands in the State heretofore donated to any Railroad or Railroad Corporation" he said that he wished to correct any erroneous

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impression that might be created thereby and to say that upon the passage of the said Bill he did not vote against it.

Mr House made the following motion.

Mr President.

I move that a committee of three upon the part of the Senate be appointed to act with a committee of five from the House, to determine the propriety of creating a new Judicial Circuit to be composed of the Counties of Lee, St. Francis, Cross, Poinsett, Craighead and Woodruff.

The motion was adopted and the President appointed Messrs House Hicks and Fletcher as such committee on the part of the Senate.

Mr Campbell Chairman of of the Committee on Enrolled Bills submitted the following report.

Mr President

The Committee on Enrollments have examined Senate Bills
SB 246 Nos 246 and 251 and have instructed me
" " 251 to report the same correctly enrolled.

The report of the Committee was received.

Mr Jones Chairman of the Committee on State Lands submitted the following report.

Mr President.

The Committee on State Lands to whom was referred Senate Bill
SB 80 No 80 "An act providing for the sale of Sixteenth sections in addition to the laws now in force" have had the same under consideration and have directed me to report the Bill back to the Senate with the recommendation that the Bill be indefinitely postponed.

The report of

the Committee was received and adopted and the further consideration of Senate Bill no 80 was thereby indefinitely postponed.

Mr Turner Chairman of the Committee on the Judiciary submitted the following report.

Mr President

The Committee on the Judiciary to whom was referred House Bill No 248, Entitled "An act to prescribe the manner and time of Electing County and Probate Judges" have had the same under consideration and your Committee being of opinion that said Bill is in conflict with sections 29 and 50 of article 7 of the Constitution of 1874 they ask leave to report the bill back to the Senate with the recommendation that it do not pass.

HR 248

The report of the Committee was received and adopted and the further consideration of House Bill no 248 was thereby indefinitely postponed.

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report.

Mr President.

The Committee on the Judiciary to whom was referred Senate Bill No 279 Entitled "An act to amend section one of an act entitled an act to change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the Second Judicial Circuit to hold a term of the Circuit Court in each of the Counties of Clayton, Greene and Craighead" have had the same under consideration and your Committee ask leave to report the bill back to the Senate and your Committee do recommend its passage.

SB 279

The report of the Committee was received and adopted and

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SB 279 Senate Bill no 279 "An act to amend Section one of an act entitled An act to change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the second Judicial Circuit to hold a term of the Circuit Court in each of the Counties of Clayton Greene and Craighead" was then read the third time and placed on its passage. The question then being Shall the Bill pass? it was decided in the affirmative. Ayes 24 Nays none absent and not voting 7.

Those Senators voting in the affirmative were Messrs Black, Blackwell Brown Campbell East Fletcher Grey Hart Hick House Johnson Loughborough M Callum Norman Reagan Sims Sullivan Thower Tobey Turner Walker Wheeler Williams and Mr President 24

Those Senators absent and not voting were Messrs Forney Haycock Henderson Jones Puidall Tovner and Warren 7

So the Bill Passed

Mr Turner chairman of the Committee on the Judiciary also submitted the following report. Mr President: The

SB 272 Committee on the Judiciary to whom was referred Senate Bill no 272 entitled an act to amend Section 2635 Chapter 56 of Gantt's Digest and to conform the law on the subject of Exempted property to the IXth Article of the Constitution of 1874 and for other purposes" have had the same under consideration and ask leave to report the Bill back with the accompanying Substitute therefor and your Committee do recommend the passage of the Substitute in lieu of

the original Bill.

The report of the Committee was received and the substitute Bill was read the first time and adopted.

A Message from the House by their 1st Assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 12th 1875

Mr President

I am instructed by the House of Representatives to inform your body of the passage by the House of S.B No 268 "an act to change the time of holding the Circuit Courts in certain Counties in 4th Judicial Circuit in the State of Arkansas.

SB 268

Also H J R No 39 Memorial to Congress asking the donation of the remaining public domain to the State of Arkansas for Educational purposes." Also H R No 174 "an act to amend Sec 3037 & to amend Sec 3046 Gantts Digest" and herewith respectfully transmit the same for your favorable consideration

HJR 39

HR 174

C C Reed Jr
1st Asst Clerk

On motion of Mr Turner the rules were then suspended and the Substitute Bill for S B 272 was then read the second time and on motion of Mr Norman was ordered engrossed and made the Special order for Eleven O'Clock on Tuesday next.

Sub for SB 272

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report.

Mr President.

The Committee on the Judiciary to whom was referred Senate Bill No 281 entitled "an act to repeal the Ku Klux law of the State" have had the same under consideration and

SB 281

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ask leave to report the Bill back to the Senate and your Committee do recommend its passage

The report of the Committee was received and
SB 281 adopted and Senate Bill No 281 "An act to repeal the Ku Klux law of the State was was read the third time and placed on its passage. The question then being Shall the Bill pass? it was decided in the affirmative Ayes 25 Nays 0 absent and not voting 6.

Those Senators voting in the affirmative were Messrs Black Blackwell Campbell East Fletcher Hart Hicks House Johnson Jones Longhborough McCallum Norman Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President. 25

Those Senators absent and not voting were Messrs Brown Forney Grey Haycock Henderson and Pindall 6.

So The Bill Passed

Mr Turner Chairman of the Judiciary Committee also submitted the following report.

Mr President.

The Committee on the Judiciary to whom was referred Senate Bill No
SB 276 276 Entitled "an act to amend section 3034 of Gantts Digest" have had the same under consideration and ask leave to report the Bill back to the Senate and your Committee do recommend its passage.

The report of the Committee was received and on motion of Mr Longhborough the Bill (SB 276) was laid on the table subject to Call.

The Special order for this hour
HR 154 being House Bill No 154 was then taken up and Mr East moved to postpone

its consideration, but withdrew the same by request.

HR 154 The Special order being House Bill No 154 "An act to define and establish the line between the Counties of Prairie and Lonoke" was then taken up - the Bill was read the third time and placed on its passage.

The question then being, shall the Bill pass? it was decided in the affirmative. Ayes 23. Nays none Excused from voting 1. Absent and not voting 7 Those Senators voting in the affirmative were Messrs Black Blackwell Campbell East Fletcher Hart Hicks House Johnson Loughborough M Callum Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 23

The Senator Excused from voting was Mr Jones. 1

Those Senators absent and not voting were Messrs Brown Forney Grey Haycock. Henderson Pindall and Thurver 7

So the Bill Passed

Mr Williams Chairman of the Committee on Memorials submitted the following report.

Mr President.

SM 11 Your Committee on memorials to whom was referred Senate memorial No 11 with regard to the appointment of Topographical Corps of Engineers for the purpose of surveying the upper Arkansas River have had the same under advisement and have instructed me to report the same back to the Senate with a recommendation that the same do pass.

The report of the Committee was received and adopted and Senate Memorial No 11 was read the third time and placed on its passage.

The question

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then being, Shall the Bill pass? it was decided in the affirmative Ayes 22. Nays 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Black Blackwell Campbell Fletcher Hart Hicks House Johnson Loughborough McCallum Norman Reagan
SB 11 Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 22

The Senator voting in the negative was Mr Jones. 1

Those Senators absent and not voting were Messrs Brown East Forney Grey Haycock Henderson Sindall and Thrower. 8.

So the memorial passed.

Mr Jones acting Chairman of the Committee on State Lands submitted the following report.

Mr President

The committee on State lands to whom was referred Senate
SB 261 Bill No 261 "An act to authorize the Commissioner of State Lands to make deeds in certain cases" have had the same under consideration and direct me to report the bill back and recommend that the same do pass.

A message from the House by their assistant clerk who appeared within the bar of the Senate and read as follows.

House Representatives
Nov 13th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House
SB 253 of S B 253 a bill to be entitled "An act to authorize the State Board of Finance to borrow money to pay the expenses of

the State Government and to pledge the Bonds of the State as security" and herewith respectfully return the same

C E Reid Jr
1st Assistant Clerk

SB 261 Senate Bill No 261 "An act to authorize the Commissioner of State Lands to make deeds in certain cases" was then read the third time and placed on its passage. The question then being shall the Bill pass? it was decided in the affirmative. Ayes 24. Nays none, absent and not voting 7.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Campbell Fletcher Grey Hart Hicks House Johnson Jones Loughborough McCallum Norman Reagan Sims Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 24

Those Senators absent and not voting were Messrs East Forney Haycock. Henderson Pindall Sullivan and Thower 7.

So The Bill Passed

Mr Williams Chairman of the Committee on Memorials submitted the following report.
Mr President

Your committee on memorials to whom was referred House Memorial No 37 asking Congress to Establish a Territorial Government over the Indian Territory" have instructed me to report the same back to the Senate with a recommendation that the same do not pass.

HJM 37

The report of the Committee was received and adopted and House Memorial No 37 was thereby rejected.

Mr McCallum Chairman of the Committee

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on County and County lines submitted the following report.

Mr President

Your committee on County and County lines to whom was referred House Bill no 230 entitled "An act to include in Bradley County Sections 23 and 24 Township 17 South Range 10 west of the fifth principal Meridian" have had the same under consideration and I am instructed to return the Bill herewith with a recommendation that it pass.

HR 230

The report of the Committee was received and adopted and House Bill no 230 was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 22 Nays none. Excused from voting 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Campbell Fletcher Grey Hart Hicks Johnson Loughborough M Callum Norman Reagan Sims Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 22

The Senator Excused from voting was Mr Jones

Those Senators absent and not voting were Messrs East Forney Haycox Henderson House Pindall Sullivan and Thrower 8

So The Bill Passed

Mr M Callum Chairman of the Committee on County and County lines also submitted the following report.

Mr President

Your Committee to whom was referred House Bill no 232 Entitled "An act changing the boundary line between Drew and Chicot Counties" have had

HR 232

the same under consideration and herewith return said Bill with a recommendation that it pass.

The report of the Committee was received and adopted and

HR 232 House Bill no 232 "An act changing the boundary line between Drew and Chicot Counties was then read the third time and placed on its passage and the question being put Shall the Bill pass? it was decided in the affirmative Ayes 23. Nays None. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Black Blackwell Campbell East Fletcher Gray Hart Hicks Johnson Jones Loughborough M Callum Norman Reagan Sims Tobey Toomer Turner Walker. Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs. Brown Forney Haycock Henderson House Pindall Sullivan and Thower 8

So The Bill Passed.

Mr M Callum called to the Chair.

SB 285 Mr Walker by unanimous consent introduced a Bill of which previous notice had not been given, entitled, "An act to donate all the lands forfeited to the State for non payment of taxes, lying in the Counties of Franklin, Crawford, Washington Benton Madison Boone and Carroll, to aid those Counties in the construction of a Railroad" which was read the first time and on motion of Mr Walker the rules were suspended the Bill read the second time and referred to the Committee on Railroads.

SB 286 Mr Loughborough by unanimous consent introduced a Bill of which previous notice had not been given entitled, "A Bill to construe the fourth subdivision of section 5054 of Gantt's Digest, and the

Saturday Nov 13th 1875

45th Subdivision of section Eleven of an act entitled "An act to Establish fees" approved February 25th 1875."

Which was read the first time and on motion of Mr Loughborough the rules were suspended the Bill read the second time and referred to the Committee on Finance.

HR 88 Under the order of business House Bill No 88 "An act to amend sections 5050 and 5054 of Gantts Digest" was taken up and read the second time and on motion of Mr Fletcher was referred to the Finance Committee.

SB 267 On motion of Mr East Senate Bill No 267. "An act to regulate the business of Banking in this State" was called up and pending the second reading of that Bill.

On motion of Mr Walker the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Senate Journal
Monday Nov 15th 1875
10 O'Clock A M

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Blackwell Campbell Fletcher Grey Hart Jones Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Wheeler and Williams 18

Those Senators absent at the call of the roll were Messrs Black Brown East Forney Haycock Henderson Hicks House Johnson Loughborough M Callum Thower and Warren 13

A Quorum Present

Prayer by Revd Mr Colburn

The Journal of Saturday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

On motion of Mr Norman the Hon P F Sorrells was invited to a seat within the bar of the Senate

Mr Pindall asked and obtained leave of absence for Mr Black for two days.

Mr M Callum asked leave of absence for Mr Hicks for the day.
Which was granted

Senators House, Loughborough and Warren appeared within the bar of the Senate and answered to their names.

SB 267 Senate Bill 267 "An act to regulate the business of Banking in this State." was

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taken up and read the second time

Mr Tindall moved that the Bill be made the Special order for 11 O'clock on Thursday next but withdrew the same at request of Mr East who moved that the Bill be referred to the Committee on Corporations.

SB 267

Which motion was adopted

Senators Brown, East, Johnson and McCallum appeared within the bar of the Senate and answered to their names.

Mr Brown Chairman of the Committee on Engrossed bills submitted the following report.

Mr President.

Your Committee to whom was referred Senate Substitute for SB Bill No 272 it being an act to amend Section 2635 of Chapter 56 of Gantts Digest and to conform the laws on the subject of Exempted property to article 9 of the Constitution of 1874 and for other purposes" report the same correctly engrossed.

Sub for SB 272

The report was received.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report.

Mr President

The Committee on Enrollments have examined Senate Bills Nos 253 and 268 and have instructed me to report the same correctly enrolled.

SB 253
" " 268

House Bill No 239 "An act to authorize cities of the first and second class to levy a tax of one hundred dollars on Auctioneers" was then taken up under the order of business and read the second time and on motion of Mr Longborough referred to the Committee on Finance.

HR 239

House Bill No 249 "An act to amend Section 4483 of Gantts Digest" was taken up and

HR 249

read the second time and on motion of Mr Grey was referred to the Committee on the Judiciary.

S Sub for S B 269

Senate Substitute for Senate Bill No 269 "An act supplementary to an act entitled an act to appropriate the sum of $1577 of United States currency not belonging to the interest fund for the relief of Wm E Woodruff Jr" was taken up read the third time and placed on its passage. The question then being put shall the Bill pass? it was decided in the affirmative Ayes 23 Nays none absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Hart Johnson Jones Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs Black Forney Grey Haycock Henderson Hicks House and Thomas 8

So the Bill Passed

S Sub for H R 161

Senate Substitute for House Bill No 161 "An act to prevent unjust discrimination in charges for freight and to protect persons travelling on Railroads" was taken up and on motion of Mr Pindall the original Bill together with the substitute therefor was recommitted to the Committee on Railroads.

A Message from the House by its assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 15th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H R No 221.

H R 221

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"An act to provide for the cancellation and re-issue of outstanding School warrants and provide a uniform system of registering and re-issue of the Same. Also of the adoption by the House of S C R No 39 in relation to the death of the Hon J M Pollard. Also S B No 236 "an act authorizing the State Board of Election Supervisors to deposit the records and papers of Elections in the Office of the Secretary of State and to fix their Compensation" and herewith respectfully transmit the Same.

Chas C Reid Jr
Clerk

SCR 39

SB 236

House Joint Resolution No 39 "Asking Congress to donate the remaining public domain in Arkansas for Educational purposes" was taken up and read the first time and on motion of Mr M Callum the rules were suspended and the Resolution read the second time.

HJR No 39

Mr Walker moved to amend the resolution by inserting the words "and internal improvements" after the word "Educational" where it occurs in the resolution.

The amendment was read the first time and under a suspension of the rules was read the second time and adopted.

On motion of Mr House the resolution as amended was then referred to the Committee on Memorials.

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

Your Committee to whom was referred Senate Joint memorial No 42 it being a resolution to authorize the appointment of Commissioners to report the feasibility of introducing Sea and other fish into the water Courses of Arkansas" report the Same Correctly Engrossed

SJM No 42

The report of the Committee was received.

HR 174 House Bill No 174 "An act to amend section 5037 and to amend Section 5046 of Gantt's Digest" was taken up and read the first time and placed upon the Calender.

HR 221 House Bill No 221 "An act to provide for the Cancellation and re issue of School warrants and to provide for a uniform system of registering and issuing the same" was taken up and read the first time and on motion of Mr Loughborough the rules were suspended the Bill was read the second time and referred to the Committee on Education.

Mr Sullivan called up a petition that was presented by his predecessor from Dr P C Whitsett praying for an appropriation of $10.000 to compensate for the loss of an arm, and on motion of Mr Sullivan the Secretary was required to furnish the Committee on Claims with a Copy of the same. Adopted.

SB 287 Mr Walker by unanimous consent introduced a Bill of which previous notice had not been given entitled "An act to appropriate money to furnish the Arkansas Industrial University building and for other purposes" which was read the first time and on motion of Mr Walker the rules were suspended - the Bill was read the second time and referred to the Committee on Education.

The President laid before the Senate the following Communication from the Attorney General.

Office of Attorney General
State of Arkansas
Little Rock Nov 15th 1875

To the
Senate and House of
Representatives of the
General Assembly of the
State of Arkansas.

I have the honor to

Monday Nov 15th 1875

report that pursuant to Senate Concurrent Resolution No 13 approved January 21st 1875 I instituted a suit in the Pulaski Chancery court at the last term thereof to foreclose the mortgage given to the State by the Memphis and Little Rock Railroad Company to secure the payment of the note and interest due thereon executed by said Company to the State for one hundred thousand dollars bearing date the 10th of January 1861, payable ten years after date and carrying interest payable semi annually at the rate of ten per cent per annum from date; that service has been obtained by service of summons, and by publication, upon the defendants, being all the parties in interest, and the answer defendants will be interposed and the case determined at present term of the Pulaski Chancery Court now in session.

I have the honor to be your obedient servant.

S P Hughes
Attorney Genl of the State

Under the order of business Mr Jones gave the following notice.

Mr President

I hereby give notice that I will on tomorrow introduce a Bill for an act amendatory of an act prescribing and defining the duties of Justices of the Peace in certain cases.

Also a Bill for an act to be entitled an act to provide for the punishment of delinquent apportioning Justices in certain cases.

Also a Bill for an act entitled an act to amend Section 1370 of Gantts Digest.

Mr Toomer by unanimous consent introduced a bill of which previous notice had not been given entitled "An act for the relief of J A Marr, A Marr, William J Pairs and Abram B Maxwell"

SB 288

Which was read the first time.

On motion of Mr Tourner the rules were then suspended. the Bill was read the second time and referred to a Select Committee of five and the President appointed Senators Tourner, Hart Tobey Jones and Pindall as such Committee.

On motion of Mr Tobey the Hon Jordan E Cravens was invited to a seat within the bar of the Senate.

Mr Fletcher Chairman of the Committee on Elections submitted the following report.

Mr President

The Committee on Elections

HR 238 to whom was referred House Bill no 238 Entitled an act to fix the time for the Convening of the General Assembly of the State "have had the same under advisement and a majority of the Committee recommend that the same do pass.

The report of the Committee was received and House Bill no 238 was read for information.

Mr Pindall moved to amend the Bill by striking out the words "second monday in January" and inserting in lieu thereof the words "first monday in January"

Which was not agreed to

On motion of Mr Fletcher House Bill no 238 was read the third time and placed on its passage.

Mr East moved to reconsider the vote by which House Bill no

HR 238 238 was passed to a third reading.

Which was not agreed to

On motion of Mr Pindall the vote by which the Bill was passed to a third reading was then reconsidered and Mr Pindall offered the following amendment. to insert in Section one the words "at 12 O'clock M" after "1877". and "hour" after the word

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"day"

The amendments were read the first time and under a suspension of the rules a second time and adopted.

Mr East moved to further amend the Bill by inserting the words "from and after" between the words "force" and "nine" in Section 2

The amendment was read the first time and a second time under a suspension of the rules and adopted, and the Bill was then laid over under the rules

Mr Fletcher Chairman of the Committee on Elections also submitted the following report.

Mr President

The committee on Elections to whom was referred Senate Bill No 271 entitled "an act fixing the time for the meeting of the General assembly" have had the same under advisement and a majority of the same recommend that the same do not pass but lie on the table.

SB 271

The report of the Committee was received and adopted and Senate Bill No 271 was thereby laid on the table.

Mr Fletcher Chairman of the Committee on Elections submitted the following report

The Committee on Elections to whom was referred Senate Bill no 262 entitled "An act to amend section one of a General Election law" have had the same under consideration and a majority of the Committee regarding the provisions of the Bill as inconsistent with the 26th section of the schedule of our Constitution which makes it imperative that "the first general Elections

SB 262

after the ratification of this Constitution shall be held on the first Monday of September AD 1876" recommend that the Bill do not pass.

The report of the committee was received and on motion of Mr Rindall the Bill (Senate Bill No 262) was re-committed to the Committee on Elections.

Mr Fletcher acting Chairman of the Committee on Agriculture submitted the following report.

HR 253 The Committee on Agriculture to whom was refered House Bill No 253 Entitled "An act to Construe the general Insurance laws of the State of Arkansas' and the act amendatory thereof approved February 27th 1875 entitled "An act to establish an Insurance Bureau and to abolish the Office of Insurance Commissioner" have had the same under consideration and a majority of the Committee do recommend that the Bill do pass.

HR 253 House Bill No 253 "An act to Construe the general Insurance laws of the State of Arkansas and the act amendatory thereof approved February 27th 1875 entitled 'An act to Establish an Insurance Bureau and to abolish the Office of Insurance Commissioner" was then read the third time and placed on its final passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 22 Nays 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Campbell East Fletcher Grey Hart House Johnson Jones Longborough Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 22

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The Senator voting in the negative was Mr. McCallum. 1

Those Senators absent and not voting were Messrs Black Brown Forney Haycock Henderson Hicks Puidall and Thower. 8

So The Bill Passed

A message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

House of Representatives
Nov 15th 1875

Mr President-

I am instructed by the House Representatives to inform your honorable body of the passage of House R No 267 a Bill to be entitled "An act to amend Section No 4890 of Gantts Digest" also that the House has reconsidered its vote on the passage of HR No 216 "An act in relation to Swamp lands" and respectfully request the return of the Bill.

HR 267

HR 216

Chas C Reid Jr
1st Asst Clerk

Mr Loughborough called to the Chair

Mr Jones from the Committee on the Judiciary reported a Substitute for Senate Bill no 282 "an act to be entitled an act to regulate the sale of lands belonging to the State in certain Cases"

SB 282

Which was read the first time and on motion of Mr Johnson the rules were suspended and the Bill read the second time - and on motion of Mr Bunch the original Bill together with the Substitute were re-committed to the Committee on the Judiciary.

On motion of Mr Fletcher Gen D H Reynolds was invited to a seat with

in the bar of the Senate.

Mr Loughborough Chairman of the Committee on Finance Submitted the following report.

Mr President

The Finance Committee to whom was referred Senate Bill No 241 have the honor to report that they have had the same under consideration and there being an even number of the members of the Committee present no recommendation on the Bill is made by the Committee.

SB 241

If in the judgement of the Senate the Bill should pass the Committee suggests that the following amendments should be made.

1st Strike out the figure "4" where it occurs in next to last line of Section 1 and insert the figure "3" in lieu thereof.

2 Amend Section 2 by adding thereto the following words "In determining the amount to be paid in redeeming lands under the provisions of this act, the last assessed value of the land shall be taken as the valuation thereof, and the rate of taxation as fixed by law in each year for which payment is made shall be levied on the valuation determined as aforesaid and to the amount of tax for each year shall be added the penalties, interest and costs actually incurred."

And the Committee respectfully ask to be discharged from the further consideration of the bill.

The report of the Committee was received and on motion of Mr Loughborough Senate Bill No 241 together with the report were laid on the table subject to call.

SB 241

Mr Campbell Chairman of joint Select Committee Submitted the following report.

Mr President

I am instructed by a majority of the joint Committee on Roads and

Monday Nov. 15th 1875

HR 116 SB 122

Highways to report that they have had under consideration HR No 116 and Senate Bill No 122 and beg leave to report that they deem it inexpedient at the present session to recommend the passage of any bill upon the subject of Roads & Highways - because it is a general desire to shorten the session as much as possible - because the financial condition of the State is so unsatisfactory that they think improper at this juncture to add to the indebtedness of the State - and finally because the present road law though defective in some points is beginning to be generally known and we hope under more favorable auspices will be more effectually enforced.

They therefore recommend an indefinite postponement of both of said Bills.

The report of the Committee was received and adopted and the further consideration of House Bill No 116 and Senate Bill No 122 was thereby indefinitely postponed.

SB 241

On motion of Mr Warren Senate Bill No 241 was called up and the first amendment proposed by the Committee was read the first time and under the suspension of the rules was read the second time and adopted.

The second amendment proposed by the Committee was then read the first time and under a suspension of the rules was read the second time and adopted.

On motion of Mr Pindall the Bill as amended was then ordered Engrossed.

Mr Johnson Chairman of Select Committee submitted the following report.

Mr President

HR 246

Your committee to whom was referred House Bill No 246 Entitled

"An act to fix the salaries of County and Pro-
-bate Judges in the Counties therein named"
have had the same under consideration and
herewith return it with following amendm-
-ents to wit, In section one strike out the
following words "for the County of Hot Springs
four hundred dollars per annum" in lines 9
10 and also in same section line 13 change
the word "Six" to "Five" and also at the end
of said section insert the following "For the
County of Ashley five hundred dollars per
annum" "For the County of Drew five hun
-dred dollars per annum" For the County
of Crawford five hundred dollars per annum"
For the County of Sharpe five hundred dol
-lars per annum" "For the County of Yell
six hundred dollars per annum" For the
County of Lincoln eight hundred dollars
per annum". As thus amended
your Committee recommend the passage
of the Bill.

The amendments proposed
by the Committee were then read the first
time and on motion the rules were sus
-pended the amendments were read the
second time and adopted.

SB 289 Under the order of business Mr Grey intro
duced a bill of which previous notice
had been given entitled "An act to am
-end section 1357 of Gantt's Digest chap
-ter seventeen on Larceny"
Which was read the first time.

A Message from the House by ass't Clerk
O'Reid who appeared within the bar
of the Senate and read as follows.
Mr President
I am instructed by the
House of Representatives to inform your
SB 256 honorable body of the passage of S B
No 256 "a Bill for an act entitled an
act to provide for funding the Auditors
warrants and Treasurers certificates iss

Monday Novr 15th 1875

-ved since the 23d day of December 1874"
SB 255 also the passage of S B 255 "A bill for an act entitled An act to amend the revenue laws of the State" approved March 5th 1875"

Chas B Reid Jr
1st Asst Clerk

On motion of Mr Gray the rules were then sus-
-pended the bill was read the second time and referred to the Committee on the Judiciary.

Mr Johnson under the order of business introduced a Bill of which previous notice
SB 290 had been given entitled "An act to suspend from Office any County or Township Officer in this State whenever there shall be filed in the Office of the Clerk of the Circuit Court of the County wherein such officer may reside, an information, presentment or indictment, and for other purposes".

Which was read the first time and on motion of Mr Bunch the rules were suspended the bill was read the second time and referred to the Committee on the Judiciary.

On motion of Mr Walker the Senate then adjourned.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Journal of the Senate
Tuesday Novr 16th 1875
10 O'Clock A M

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names President Busch and Messrs. Blackwell Brown Campbell East Grey Hart Hicks House Jones McCallum Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler & Williams 22

Those Senators absent at the call of the roll were Messrs Black Fletcher Forney Haycock Henderson Johnson Loughborough Pindall and Thower 9

A quorum announced as present

Prayer by Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary

Mr Johnson appeared within the bar of the Senate and answered to his name

The President laid before the Senate the following communication from the Attorney General

Attorney Generals Office
State of Arkansas
Little Rock Nov 15th 1875

To the Senate and House of Representatives of the General Assembly of the State of Arkansas.

I have the honor to report that under House Joint Resolution No 2 approved January 8th 1875 in regard to the Swamp Lands donated by the State to the Mississippi Ouachita and Red River Rail road

Tuesday Novr. 16th 1875

I examined into the Condition of said road and found that it consolidated on the 14th day of October 1873 with the "Little Rock and New Orleans Railroad and the two are now known as the "Texas Mississippi River and North western Railroad Company." That only about 28 miles of said Road has Ever been built; that that part had prior to the date of the Resolution become unfit for use and had ceased to be operated, the bridges across the streams thereon having become unsafe, the road bed in places washed away, and that no effort to repair the same had been made for a long time, That the terminus of said road on the Mississippi River had been changed from Eunice to Chicot City, a distance of thirteen (13) miles above Gaines' Landing, the Eastern terminus fixed in the Charter for said Road; and that the said Company had not lived up to the ends of its incorporation having long since abandoned the work of construction generally of the road.

That with a view to cause to be forfeited the Charter of said Company and to have declared vacated and annulled its corporate powers, and franchises, and the lands granted thereto by the State, to revert, proceedings were commenced by me in the name of the State at the last term of the Pulaski Circuit Court, and service therein had upon said Company. Depositions have been taken in said cause upon the part of the Plaintiff and no answer has yet been filed by the Defendant, and the Cause stands upon the docket of said Court for the 29th instant. All of which is respectfully submitted.

S. P. Hughes
Attorney General

The report was received.

Senators Fletcher and Longborough appeared within the bar of the Senate and answered to their names.

Mr Brown by unanimous consent introduced a bill of which previous notice had not been given
SB No 291 entitled "An act to encourage immigration to this State." Which was read the first time.

On motion of Mr Brown the rules were then suspended the Bill was read the second time and referred to the Committee on Finance.

Mr Wheeler by unanimous consent introduced a bill of which previous notice had not been
SB 292 given Entitled "An act to declare what Counties shall Constitute the 5th Judicial District and to create the 12th Judicial District of this State and for other purposes."
Which was read the first time.

On motion of Mr Wheeler the rules were then suspended - the Bill was read the second time and referred to the Committee on the Judiciary.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report.

Mr President,

Senate Bills
SB 246 Nos 246. 257. 253. and 268. respectively has
" " 257 been signed by the Speaker of the House, &
" " 268 President of the Senate and delivered to
" " 253 his Excellency the Governor for his consideration.

SB 255 Senate Bills Nos 255. 236. 256 and
" " 236 Senate Resolution No 39 has been Examined
" " 256 by the Committee on Enrollments and I am
SCR 39 instructed to report said Bills and Resolution correctly Enrolled.

The report of the Committee was received.

Under the order of business Mr Hicks introduced a Bill of which previous notice had
SB 293 been given, Entitled "An act supplementary to an act to provide for the leasing and management of the State Penitentiary" approved April 15th 1873."

Tuesday Novr 16th 1875

Which was read the first time, and on motion of Mr Hicks the rules were suspended - the bill was read the second time - and referred to the Committee on the Penitentiary and 150 Copies ordered printed.

SB 293

On motion of Mr Loughborough Ex State Senator Brown of Mississippi was invited to a seat within the Bar of the Senate.

Mr Hicks introduced a bill of which previous notice had been given entitled "An act to provide for the enlargements of the grounds and the Extension of the walls of the State Penitentiary and to provide for the erection of a new Cell building for said Penitentiary".

SB 294

Which was read the first time and on motion of Mr Hicks the rules were then suspended, the Bill was read the second time and referred to the Committee on Expenditures and 150 Copies ordered printed.

Mr Hicks introduced a Bill of which previous notice had been given entitled "An act to amend the revenue laws of this State."

SB 295

Which was read the first time and on motion of Mr Hicks the rules were then suspended the Bill was read the second time and referred to the Committee on Finance.

The Special order for this hour being Senate Bill No 272 was then taken up and on motion of Mr Pindall was temporarily postponed. and.

SB No 272

Mr Pindall presented a Petition of Citizens of Chicot County, which without being read was referred to the Committee on County and County lines.

The Special order for this hour being Senate Bill No 272 "An act to amend Section 2635 of Chapter 56 of Gantts Digest and to conform

SB No 272

the laws on the subject of exempted property to the 9th article of the Constitution of 1874 and for other purposes" was then read the 3d time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 23 Nays none. absent and not voting 8

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell Fletcher Grey Hart Hicks House Johnson Jones Loughborough McCallum Norman Pridall Sims Sullivan Toomer Turner Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs Black East Forney Haycock Henderson Reagan Thower and Tobey 8

SB 296 Mr Jones under the order of business introduced a Bill of which previous notice had been given entitled "An act to amend section 1371 of Gantts Digest."

Which was read the first time and on motion of Mr Jones the rules were then suspended the Bill was read the second time and referred to the Committee on the Judiciary.

SB 297 Mr Jones introduced a Bill entitled "An act amendatory of an act prescribing and defining the duties of Justices of the Peace in certain cases approved February 11th 1875."

Which was read the first time and on motion of Mr Jones the rules were then suspended the Bill was read the second time and referred to the Committee on the Judiciary.

SB 298 Mr Jones introduced a Bill of which previous notice had been given, entitled "A Bill for an act to be entitled, 'An act to provide for the punishment of delinquent apportioning Justices in certain cases'."

Which

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was read the first time.

On motion of Mr Jones the rules were then suspended, the bill was read the second time and referred to the Committee on the Judiciary.

HR 174 Under the order of business House Bill no 174 was then taken up and read the second time and on motion of Mr Brown was referred to the Committee on the Judiciary.

SJR 42 Senate Joint Resolution no 42 "A Resolution to authorize the appointment of commissioners to report on the feasibility of introducing Sea and other fish into the water courses of Arkansas."

Was then read the third time and placed on its passage.

The question then being shall the Resolution pass? it was decided in the affirmative, Ayes 23. Nays none. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell. Brown Campbell East Fletcher Gray Hart Hicks House Johnson Jones McCallum Pindall Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President 23.

Those Senators absent and not voting were Messrs Black Torney Haycock Henderson Loughborough Norman Thrower and Walker 8.

So The Resolution Passed

A Message from the Governor by his private Secretary A H Wood who appeared within the bar of the Senate and read as follows.

Executive Office
Little Rock Nov 15th 1875.

To the President of the

Senate of Arkansas and
the members thereof . Gentlemen
I have approv-
SB 250 -ed and signed Senate Bill No 250 "An act to permit Sheriffs to take bail in certain Cases" and herewith return the same.

Very Respectfully &c
A H Garland
Governor of Arkansas,

HR 246 House Bill No 246 "An act to fix the salaries of County and Probate Judges in the Counties therein named." was then taken up read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 22 Nays none. Excused from voting 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Grey Hart Hicks House Johnson M Callum Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 22

The Senator excused from voting was Mr Jones.

Those Senators absent and not voting were Messrs Black, Blackwell Forney Haycock Henderson Loughborough Norman and Thower 8.

So The Bill Passed.

HR 238 House Bill no 238 "An act to fix the time for the convening of the General Assembly of this State" was then taken up and read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 21. Nays 2. absent and not voting 8.

Those Senators voting

Tuesday Novr 16th 1875

in the affirmative were Messrs Brown Campbell East Fletcher Gray Hicks House Johnson Jones McCallum Norman Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President 21

Those Senators voting in the negative were Messrs Pindall and Walker 2

Those Senators absent and not voting were Messrs Black Blackwell Forney Hart Haycock Henderson Loughborough and Thower 8

So The Bill Passed.

HR 267 House Bill No 267 "An act to amend Section 4890 of Gantts Digest" was then taken up and read the first time and on motion of Mr Johnson the rules were suspended - the Bill was read the second time and placed on the Calendar.

Mr East presented "a communication from D S McCabe relative to harmonizing the various laws on the liquor business" which without reading was referred to the Committee on the Judiciary

Mr Turner Chairman of the Judiciary Committee submitted the following report Mr President

The Committee on the Judiciary to whom was referred Senate Bill No

SB 243 243 entitled "An act amendatory of Existing laws in regard to the publication of legal notices" have had the same under consideration and ask leave to report the Bill back to the Senate with the accompanying Substitute therefor and your Committee recommend the passage of the Substitute in lieu of the original Bill

The report of

The Committee was received and the substitute reported by the Committee was read the first time and adopted.

On motion of Mr Turner the rules were then suspended and the Bill was read the second time.

Mr Hicks moved to amend the bill by adding the words "of Nonpariel type or 218 ems" after the words "ten lines" in Section 2 of the Bill.

Which amendment was read the first time and on motion of Mr Hicks the rules were suspended and the amendment read the second time.

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report.

Mr Speaker

SB 134 Your Committee to whom was referred Senate Bill No 134 have had the same under consideration and direct me to submit the following report to wit: The Bill provided that upon application of any citizen of any County or an incorporation interested in the draining of any wet or swamp land, to the County Court in manner provided in the bill, the County Court shall have jurisdiction to order ditches drains or dykes made or constructed and after such drains ditches or dikes so made or constructed, the cost to be assessed and collected from the owners of the land benefitted. The tax to be levied upon the land benefitted in proportion to the benefit derived from such drains, ditches or dykes.

The Bill seems to be well drawn and so framed as to prevent fraud, imposition or abuse of power. Section 5 Article 16 of the Constitution requires all property subject to taxation shall be taxed according to its value and no one species of property from

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which a tax may be collected shall be taxed higher than another species of property of the same value. Section 9 limits the amount of tax that may be levied. This bill levies the tax on the real property to the exclusion of the personal property. This is only allowed in cases provided for in Section 27 article 19 and require the assessment in cases thus provided for to be ad valorem.

Believing the act unconstitutional the Committee recommend that the Bill do not pass.

The report of the Committee was received and adopted and Senate Bill No 134 was thereby laid on the table.

SB 134

Mr Turner Chairman of the Judiciary Committee also submitted the following report. Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 221, entitled "An act to protect in their rights those who hold titles to lots or real Estate under the State of Arkansas" have had the same under consideration and ask leave to report the bill back to the Senate and they recommend that it do not pass.

SB 221

The report of the Committee was received and adopted and Senate Bill No 221 was thereby laid on the Table.

SB 221

Mr Fletcher was called to the Chair

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report. Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 260 Entitled "An act to repeal Sections 2267, 2268 and 2269 of Gantts Digest" have had the same under consideration and ask leave to report the Bill back to the Senate and your

SB 260

committee recommend that it do not pass

The report of the Committee was received and adopted and Senate Bill No 260 was thereby rejected.

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report.

Mr President.

The Committee on the Judiciary to whom was referred Senate Bill No
SB 289 289. entitled "an act to amend Section 1357 of Gantt's Digest Chapter 17 on Larceny" approved July 9th 1868" have had the same under consideration and ask leave to report the Bill back to the Senate with the following amendment, that is to say, Strike out the word "ten" where it occurs in the first section of said Bill, and insert in lieu thereof the word "five." and as thus amended your Committee do recommend the passage of the Bill.

The report of the Committee was received and the proposed amendment to SB 289 was read the first time.

Mr Johnson moved to reject the report of the Committee but withdrew the same.

Mr Warren moved the indefinite postponement of the Bill and proposed amendment.

Which was not agreed to.

SB 289 The amendment to Senate Bill 289 was then read the second time and adopted and the Bill as amended was laid over under the rules.

Mr Norman moved that as the House of Representatives had reconsidered the vote
HR 216 by which House Bill No 216 "An act relating to Swamp lands" was passed, and had in a Communication to the Senate

Tuesday Novr 16th 1875

requested its return, that the Chairman of the Committee to whom it was referred be instructed to return said House Bill No 216 to the Secretary of the Senate

Which motion after a length discussion was adopted and the Bill was returned by the Chairman of the Committee on State Lands to the Secretary and by him delivered to the House.

Mr Jones acting Chairman of the committee on the Judiciary submitted the following report.

Mr President

The Committee on the Judiciary to whom Senate Bill No

SB 282 282 with a substitute were recommitted have had the bill and substitute under consideration and direct me to report the bill and substitute back and recommend the adoption of the substitute and that the same do pass.

The report of the Committee was received and the substitute for Senate Bill No 282 which was read twice yesterday was then adopted.

Senate Substitute for Senate Bill no

SB 282 282 was then read a third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 22. Nays 1. Excused from voting 1. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Grey Hall Johnson Jones McCallum Norman Pridall Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President 22

The Senator voting in the negative was Mr Hicks

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The Senator excused from voting was Mr House 1

Those Senators absent and not voting were Messrs Black Forney Haycock Henderson Loughborough Thrower and Walker 7

So The Bill Passed

HR 216 On motion of Mr Hicks the further consideration of House Bill no 216 was then indefinitely postponed.

On motion of Mr House Mr Walker was added to the Committee on Education; and

On motion of Mr McCallum the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Wednesday Novr 17th 1875

Journal of the Senate
Wednesday Nov 17th 1875
10 O'Clock A.M.

The Senate met Pursuant to adjournment

The Secretary called the roll when the following Senators answered to their names, President Bunch and Messrs Blackwell Brown Fletcher, Grey Hart Howe Jones McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren & Williams 20

Those Senators absent at the call of the roll were Messrs Black Campbell East Forney Haycock Henderson Hicks Johnson Loughborough Thower and Wheeler 11

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto was approved and signed by the President and Secretary.

Senators Campbell East Hicks Loughborough and Wheeler appeared within the bar of the Senate and answered to their names.

Mr Campbell chairman of the committee on Enrolled Bills submitted the following report.

Mr President:

Senate Bills

SB 236 nos 236, 255 and 256 and Senate Resolution
" " 255 no 39 has been delivered to his Excellency
" " 256 the Governor for his consideration.
SJR 39 The report of the Committee was received.

The President laid before the Senate the following communication.

To the Honorable the President of the Senate of the General Assembly of the State of Arkansas.

The Saint Louis, Iron Mountain and Southern Railway Company respectfully tenders to the members of the General Assembly and its Officers, the free use of an especial train over its road to be run to connect with the excursion train of the Hot Springs Railroad Company, leaving Little Rock at 9 O'Clock A M on next Saturday the 20th instant.

Thomas Allen
President of the St Louis, Iron Mountain & Southern Railway Company.

Little Rock
Nov 17th 1875

The President also laid before the Senate the following.

To the Honorable the President of the Senate of the General Assembly of the State of Arkansas.

The Hot Springs Railroad Company having completed its road to a point within a few miles of Hot Springs, and being desirous of commemorating the event, respectfully invites the members of the General Assembly of the State of Arkansas and its Officers, to participate in an Excursion to that celebrated place on next Saturday the 20th instant.

Joseph Reynolds
President of the Hot Springs Railroad Company.

Little Rock
Nov 17th 1875

On motion of Mr Brown the invitations contained in the above communications were accepted.

SB 243 Mr Hicks asked leave to call up Senate Bill No 243 and the proposed amendment thereto.

Which was granted and the proposed amendment was read.

Mr Hicks then moved

Wednesday Novr 17th 1875

to amend the amendment by striking out the words "268 Ems" and inserting in lieu thereof the words "250 Ems".

The amendment to the amendment was read the first time, and on a suspension of the rules was read a second time and adopted, and the Bill as amended was ordered engrossed for a third reading.

S.B 243

By unanimous consent Mr Pindall presented a remonstrance of Citizens of the County of Chicot which without being read was referred to the Committee on County and County lines.

Mr M Callum chairman of the Committee on County and County lines submitted the following report.

Mr President.

Your Committee on Counties and County lines to whom was referred Senate Bill No 278. entitled "An act to amend Sections 601 and 602 of Gantts Digest and to limit the power of County Courts and Agents to make contracts and to regulate appropriations" have had the same under consideration, and I am instructed by said committee to return said bill herewith with a recommendation that it do pass.

SB 278

The report of the Committee was received and adopted and Senate Bill No 278 was read for information.

On motion of Mr Longborough the Hon Thomas Essex of Missouri was invited to a Seat within the bar of the Senate.

Mr East moved that Senate Bill no 278 be recommitted to a Select Committee of three.

Which was not agreed to.

SB 278 Senate Bill No 278. "An act to amend sections 601 and 602 of Gantts Digest" was then read the third time and placed on its passage.

The question then being put Shall the Bill pass? it was decided in the affirmative Ayes 22, Nays 2, absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Brown Fletcher Grey Hart Hicks House Jones Lough-borough McCallum Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler Williams and Mr President 22

Those Senators voting in the negative were Messrs Campbell and East. 2

Those Senators absent and not voting were Messrs Black Forney Haycock Henderson Johnson Thrower and Toomer 7.

So the Bill Passed.

Under the order of business Mr Turner Chairman of the Judiciary Committee Submitted the following report.

Mr President

The Committee on the Judiciary, to whom was referred

HR 249 House Bill no 249 entitled "An act to amend Section 4483 of Gantts Digest" have had the same under consideration and ask leave to report the same back to the Senate and your Committee do recommend that the Bill pass.

A Message from the House by its assistant Clerk C. C. Reid Jr who appeared within the bar of the Senate and read as follows

Hall House of Representatives
Nov 17th 1875

Mr President:

I am instructed by the House

Wednesday Nov. 17th 1875

of Representatives to inform your honorable
HR 274 Body of the passage by the House of H.R.
No 274 A Bill to be entitled "An act to provide
for a proper representation of the State of Ark-
ansas at the Centennial exhibition in
1876. Also of the rejection by the House
SB 181 of Senate Bill No 181 "An act to define
the boundaries between Jefferson, Grant
and Dorsey Counties" and herewith respect-
fully transmit the same for your favorable
Consideration.

C C Reid Jr
1st Asst Clerk

A further message from the House as follows.

Hall. House of Representatives
Nov 17th 1875

Mr President.

I am instructed by the House
of Representatives to inform your honorable
SB 206 body of the passage of Senate Bill 206
"An act to extend the bounds of the Peni-
tentiary grounds" Also the indefinite
SB 122 postponement of S B 122 "An act to regul-
ate Roads & Highways and keep the same
in repair" and herewith respectfully trans
mit the same for your favorable consider-
ation.

C C Reid Jr
1st Asst Clerk.

The report of the Chairman of the Judiciary
Committee was received and House Bill no
HB 249 249 was read for information.

On motion of Mr Turner House Bill no
HB 249 249 "An act to amend Section 4483 of Gantt's
Digest" was then read the third time and
placed on its passage.

The question then
being shall the Bill pass? it was decided
in the affirmative. Ayes 23. Nays none.
Excused from voting 1. absent and not
voting 7.

Those Senators voting in the affi-
rmative were Messrs Blackwell. Brown

Campbell Fletcher Hart Hicks House Jones Loughborough M Callum Norman Pindall Reagan Sims Sullivan Tobey Tomer Turner Walker Warren Wheeler Williams and Mr President. 23

The Senator excused from voting was Mr East 1

Those Senators absent and not voting were Messrs Black Forney Gey Haycock Henderson Johnson and Thower 7.

So the Bill Passed

Mr Warren Chairman of the Committee on Claims submitted the following report.

Mr President.

Petition J C Whitsett

The Committee on Claims to whom was referred the Petition of J C Whitsett asking an appropriation for injuries received by Claylons Militia, have had the same under consideration and believing that the State should not be held responsible for the acts of Claylon or his miserable cohorts, instruct me to report the same back recommending its rejection.

The report of the Committee was received and adopted and the Petition was thereby rejected.

Mr Pindall Chairman of the Committee on Railroads submitted the following report.

Mr President.

SB 285

Your Committee to whom was referred S Bill No 285 have had the same under consideration and direct me to report the accompanying Substitute and recommend the passage of the Substitute.

A Message from the Governor by Genl C H Wood his private Secretary who appeared within the bar of the Senate and read as follows.

Wednesday Nov. 17th 1875

State of Arkansas
Adjutant Generals Office
Little Rock Nov 16th 1875

To
The President of the Senate of Arkansas and the members thereof.

Gentlemen.

I have approved

SB 268 and signed Senate Bill No 268 "An act to change the time of holding the Circuit Courts in certain Counties in the fourth Judicial Circuit in the State of Arkansas,

SB 253 Also Senate Bill no 253 "An act to be entitled an act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government, and to pledge the Bonds of the State as Security." Also Senate Bill

SB 246 No 246. "An act to change the time of holding the Circuit Court of White County" and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas.

S Sub for SB 285 The Substitute for Senate Bill no 285. reported by the Committee was then read the first time and adopted.

On motion of Mr Puidall the rules were then suspended and the Bill was read the second time.

On motion of Mr Walker the Bill was then made the Special order for Eleven O'Clock tomorrow for a third reading.

Mr Puidall Chairman of the Committee on Railroads also submitted the following report,

Mr President

Your Committee to

SSub for HR 161 whom was referred Senate Substitute for House Bill No 161 have had the same under consideration and direct me to return the Bill with the recommendation that it do

not pass.

Mr House moved the rejection of the report of the Committee.

When Mr Warren moved as a Substitute for that motion that the Bill and the Substitute be re-committed to a Special Committee of five.

Which motion was adopted and the President appointed Messrs Loughborough House Tobey Norman and Walker as such Committee (Mr Warren was at his own request Excused from serving on this Committee)

Mr Brown called to the Chair

Mr Williams Chairman of the Committee on Memorials submitted the following report.

Mr President

Your Committee on memorials to whom was referred House Memorial No 39 asking of Congress to donate to the State of Arkansas the remaining public domain for Educational purposes, have had the same under Consideration and have instructed me to report the same back to the Senate and recommend that the memorial do pass.

H J Memo No 39

The report of the Committee was received and adopted and on motion of Mr Williams House Memorial No 39 "asking Congress to donate the remaining public domain to the State for Educational purposes" was then read the third time and placed on its passage.

The question then being shall the Memorial pass? it was decided in the affirmative Ayes 17. Nays 6. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Brown Fletcher Grey. Hart House Loughborough M Callum Norman Pindall Sims Sullivan Turner Warren Wheeler Williams and Mr President

17

Wednesday Novr 17th 1875

Those Senators voting in the negative were Messrs Campbell East Jones Reagan Tobey & Walker

Those Senators absent and not voting were Messrs Black Forney Haycock Henderson Hicks Johnson Thower and Toomer 8

So The Memorial Passed.

Mr Brown Chairman of the Committee on Engrossed Bills Submitted the following report.

Mr President,

Your Committee to

SB 241 whom was refered Senate Bill No 241, it being an act to be entitled "An act to permit the owners of land sold for taxes since the first of April 1865, to redeem the same" report the same correctly engrossed as amended.

The report of the Committee was received.

On motion of Mr Warren

" Senate Bill No 241, "An act to permit the owners of land sold for taxes since the first of April 1865 to redeem the same" was then read the third time and placed on its passage.

After discussion the question then being put shall the Bill pass? it was decided in the negative Ayes 10. Nays 14. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Brown Fletcher Hall House Johnson Norman Pindall Tobey Warren and Wheeler 10

Those Senators voting in the negative were Messrs Blackwell Campbell Grey Hicks Jones Loughborough McCallum Reagan Sims Toomer Turner Walker Williams and Mr President 14.

Those Senators absent and not voting were Messrs Black East Forney Haycock Henderson Sullivan and Thower 7.

SB 241 So the Senate refused to pass the Bill.

Mr Johnson appeared within the bar of the Senate and answered to his name

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

Your Committee to whom was referred Senate Substitute

SB 243 Bill no 243, it being an act amendatory of Existing laws in regard to the publication of legal notices" report the same correctly engrossed.

The report of the Committee was received.

Mr Loughborough by unanimous consent called up House Bill no

HR 274 274 "An act to provide for a proper representation of the State of Arkansas at the Centennial Exhibition in 1876."

Which was read the first time.

On motion of Mr Loughborough the rules were then suspended - the Bill was read the second time and referred to the Committee on Finance.

Mr Toomer by unanimous consent gave the following notice.

Mr President

I desire to give notice that on tomorrow I shall introduce a Bill for the creation of Separate Circuit Chancery and Probate Courts in the County of Gell.

Wednesday Novr 17th 1875

Mr Hicks moved to adjourn but withdew the same by request of Mr East who asked the unanimous Consent of the Senate to introduce a Bill.

Which was not agreed to, and on motion of Mr Reagan the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of The Senate

Thursday Novr 18th 1875
10 O'Clock A.M.

Senate met pursuant to adjournment The Secretary called the roll when the following Senators answered to their names, Mr President Bunch and Messrs Blackwell Campbell Fletcher Grey Hart Hicks Johnson Jones McCallum Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler & Williams 21

Those Senators absent at the call of the roll were Messrs Black Brown East Forney Haycock Henderson House Longhborough Thrower and Toomer 10

A Quorum announced as present

Thursday Novr 18th 1875

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Senators Haycock Loughborough and Toomer appeared within the bar of the Senate and answered to their names.

Mr Wheeler by unanimous consent called up Senate Bill No 243 "An act amendatory of existing laws in relation to the publication of legal notices"

SB 243

Which was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative, ayes 20. Nays 2. Excused from voting 3. absent and not voting 6.

Those Senators voting in the affirmative were Messrs. Blackwell. Campbell Fletcher Gray Hart Haycock House Jones Loughborough Norman Piddall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler and Mr President 20

Those Senators voting in the negative were Messrs McCallum and Williams 2

Those Senators Excused from voting were Messrs Brown. Hicks and Toomer 3

Those Senators absent and not voting were Messrs Black East Forney Henderson Johnson and Thrower 6

So The Bill Passed

Mr Fletcher Chairman of the Committee on Elections Submitted the following report.

Mr President

SB 262

Your committee to whom was referred Senate Bill No 262 have had the same under consideration and direct me to report the Bill back with the following amendments. 1 Strike

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out "1876" in section one and insert 1878. and add to Section one the following. "The Election for Representatives to the Congress of the United States for the year 1876 shall be held on Tuesday after the first Monday in November and the elections for other Officers mentioned in this section for the year 1876 shall be held at the time now prescribed by law" and recommend that the Bill thus amended do pass.

The report of the Committee was received and the amendments proposed by the

SB 262 Committee to Senate Bill No 262 were read the first time. On motion of Mr Fletcher the rules were then suspended. the amendments were read the second time and adopted and the Bill as amended was ordered engrossed and made the Special Order for Eleven O'clock to morrow.

Mr East appeared within the bar of the Senate and answered to his name.

On motion of Mr Pindall Mr Downs of Lincoln County was invited to a seat within the bar of the Senate.

Mr Warren acting Chairman of the Finance Committee submitted the following report

Mr President

The Committee on Finance to whom

SB 286 was referred Senate Bill No 286 have had the same under Consideration and herewith return the bill with a recommendation that it do not pass.

The report of the Committee was received and adopted and Senate Bill No 286 was thereby rejected.

Mr Campbell chairman of the Committee on Enrolled Bills submitted the following report.

Mr President

The Committee on

SB 206 Enrollments have examined Senate Bill No 206 being "an act Entitled an act to extend the Penitentiary grounds" and have instructed me to report the same correctly enrolled.

Said Bill has been signed by the presiding Officers of both Houses respectively and delivered to his Excellency the Governor for his Consideration.

The report was received

Mr Turner chairman of the Judiciary Committee submitted the following report.

Mr President

The Committee on the

SB 297 Judiciary to whom was referred Senate Bill No 297 Entitled "An act amendatory of an act prescribing and defining the duties of Justices of the Peace in Certain Cases" have had the same under consideration and ask leave to report the same back to the Senate and your Committee do recommend the passage of the Bill.

The report of the Committee was received and adopted and Senate Bill No 297 was then read the third time and placed on its final passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 24 Nays 1. Absent and not voting 6.

Those Senators voting in the affirmative were Messrs Campbell East Fletcher Grey Hart Haycock Hicks House Johnson Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 24.

The Senator voting in the negative was Mr Blackwell 1

Those Senators absent and not voting were Messrs Black Brown Forney Henderson Jones Thower 6

So The Bill Passed

Mr Turner Chairman of the Committee on the Judiciary also submitted the following report.

Mr President.

The Committee on the Judiciary to whom

SB 298 was referred Senate Bill No 298 Entitled "An act to provide for the punishment of delinquent apportioning Justices in Certain Cases" have had the same under consideration and ask leave to report the Bill back to the Senate with the following amendment, Strike out the words "punished accordingly" in the two last lines of the first section and insert in lieu thereof. the words "fined not less than twenty nor more than one hundred dollars," and as thus amended

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your committee do recommend the passage of the Bill.

The report was received, and the amendments offered by the Committee were read the first time, and under a suspension of the rules were read a second time and adopted and the Bill as amended was ordered engrossed and made the Special Order for eleven O' Clock and thirty minutes on to morrow.

Mr Turner chairman of the Judiciary Committee also submitted a further report.

Mr President.

SB 296 The committee on the Judiciary to whom was refered Senate Bill No 296 entitled "An act to amend Section 1371 of Gantts Digest" have had the same under consideration and ask leave to report the Bill back to the Senate and your committee do recommend its passage.

The report of the Committee was received and adopted and Senate Bill No 296 was then read the third time and placed on its passage.

The question then being put, shall the Bill pass? it was decided in the affirmative Ayes 26. Nays none, Excused from voting 1. absent and not voting 4.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Grey Hart Haycock Hicks House Johnson Jones Loughborough McCallum Norman Pindall Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President. 26

The Senator Excused from voting was Mr Reagan 1

Those Senators absent and not voting were Messrs Black Forney Henderson and Thrower 4

So The Bill Passed.

SB 239 Mr Loughborough Chairman of the Finance Committee to whom was refered Senate Bill no 239 "An act to authorize the refunding of County Bonds."

reported verbally a substitute for that Bill. The report was received and the Substitute Bill "A Bill to be entitled an act supplemental to an act authorizing the Several Counties in the State to fund their outstanding indebtedness approved March 6th 1875." was then read the first time and adopted.

On motion of Mr Haycock the rules were then suspended the Bill was read the second time and made the Special order for Eleven O'Clock on tomorrow.

Mr Loughborough Chairman of the Committee on Finance submitted the following report.

Mr President.

The Committee on Finance to which was
SB 295 referred Senate Bill No 295 entitled "An act to amend the revenue laws of this State" have the honor to report that they have had the same under consideration and herewith report the same with the recommendation that it do pass.

The report of the Committee was received and adopted and Senate Bill No 295. "An act to amend the revenue laws of this State" was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative. Ayes 26. Nays none. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Blackwell Campbell East Fletcher Grey Hart Haycock Hicks House Johnson Jones Loughborough M'Callum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 26

Those Senators absent and not voting were Messrs Black Brown Forney Henderson and Thrower 5

So The Bill Passed

Mr Loughborough Chairman of the Finance Committee also submitted the following report.

Mr President

The Committee on Finance to which
HR 239 was referred House Bill No 239 entitled "An act to

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be entitled an act to authorize the City authorities of Cities of the first and second Class to levy and collect a tax of one hundred dollars from Each public auctioneer" have the honor to report that they have had the same under consideration and herewith return the same with the following amendments.

First Section one fourth line strike out the word "shall" and insert in lieu thereof the word "may"

Second. Section 1 5th line after the words "tax of" insert the words "not less than ten dollars, nor more than" and that the words "not exceed" as written in pencil between the 4th and 5th lines be stricken out.

Third. Section two third line substitute the word "are" for "is", and as amended the Committee recommend that it do pass.

HR 239

Should the Bill pass, the Committee recommend that the following changes in the title be made; insert the words "and Incorporated towns" after the word "Class" in third line and insert the words "of not less than ten dollars or more than" after the word "of" in the 4th line.

The report of the Committee was received and the proposed amendments were read the first time and under a suspension of the rules were read the second time.

Mr Loughborough then moved to amend the amendment by striking out the words "ten" dollars" where they occur in the amendment to the Bill and to insert in lieu thereof the words "five" dollars."

The amendment to the amendment was read the first time and under a suspension of the rules was read the second time and adopted, and the amendments as amended were then adopted. Mr Haycock moved to further amend the bill by striking out the words "one hundred dollars" where they occur in the Bill and to insert in lieu thereof the words "fifty dollars"

Which was not agreed to.

The Bill as amended was then laid over under the rules.

Mr Loughborough Chairman of the Finance Committee also submitted the following report.

Mr President.

The Committee on Finance to whom was referred House Bill No 274 entitled "A Bill to be entitled
HR 274 an act to provide for a proper representation of the State of Arkansas at the Centennial exhibition in the year 1876" have the honor to report that they have had the same under Consideration and herewith return the Bill with the recommendation that it do pass.

The report of the Committee was received and House Bill No 274 was read.

Mr Norman moved to amend the Bill by striking out the words "fifteen thousand dollars" where they occur in the Bill and to insert the words "Eight thousand dollars" in lieu thereof.

Mr Toomer moved to amend the amendment by inserting the words "Six thousand dollars" in lieu of the words "Eight thousand dollars".

Which amendment was accepted by Mr Norman.

Pending discussion of the proposed amendment to House Bill No 274. the Special Order for this hour,
SB 285 being Senate Bill No 285. "An act to donate all the lands forfeited to the State for the non payment of taxes, lying in the Counties of Franklin, Crawford, Washington, Benton & Madison - - - - - - - - - - - to aid those Counties in the Construction of a Railroad" was taken up and on motion was read the third time and placed on its passage.

A message from the Governor by his private Secretary C H Woods who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Nov 17th 1875

To The Hon President of the Senate
of Arkansas and the members thereof
Gentlemen

SCR 39 I have approved
and signed Senate Concurrent Resolution No 39. also
SB 235 Senate Bill No 235 "An act to authorize the State Board

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of Election Supervisors to deposit the records and papers of Elections in the Office of the Secretary of State, and
SB 256 to fix their compensation" Also Senate Bill No 256 "An act to provide for funding the Auditors warrants and Treas-
-urers certificates issued since the 23rd day of December Eighteen hundred and Seventy four." also Senate Bill
SB 255 No 255 "An act to amend an act entitled an act to amend the revenue laws of the State" approved March (5th) fifth one thousand Eight hundred and Seventy five"
SB 251 also Senate Bill No 251 an act to be entitled "An act for the relief of the securities of John P Bull, as Sheriff and Collector of taxes in the County of Hemp-
-stead" and herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas

The consideration of the Special order, being Senate
SB 285 Bill No 285, was then resumed and pending debate thereon, on motion of Mr Loughborough the further consideration of the bill was postponed until eleven O'clock on tomorrow.

Mr House Chairman of the Committee on Education returned to the Secretarys desk the communication of the Trustees of the Arkansas Industrial University. Which was on motion laid on the table and 150 copies ordered printed.

The consideration of the proposed amend
HR 274 -ments to House Bill No 274 was then resumed and pending discussion of the same.

On motion of Mr Warren the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Senate Journal
Friday Novr 19th 1875

Pursuant to adjournment the Senate met at 10 O'clock A.M.

The Roll was called by the Secretary and the following Senators answered to their names, Mr President Bunch and Messrs Blackwell Brown Campbell East Fletcher Grey Hart Haycock Hicks House Johnson Jones Norman Reagan Sims Sullivan Turner Walker Warren and Williams. 21

The following members were absent at the call of the roll, Senators Black Forney Henderson Loughborough M'Callum Pindall Thower Tobey Toomer and Wheeler 10

A Quorum announced as present

Prayer by the Revd Mr Burns

The Secretary then read the Journal of yesterday and there being no objection thereto it was approved and signed by the President and Secretary.

Mr House asked that the leave of absence for Mr Henderson be extended to Monday next.

Which was granted.

Mr Hicks asked and obtained leave of absence for Mr M'Callum until Monday next

Senators East and Wheeler appeared within the bar of the Senate and answered to their names.

Mr Pindall asked that the leave of absence of Mr Black be extended to monday next

Which was granted

NR 274 Mr Norman moved to postpone the Consideration of the amendments to House Bill No 274 which was laid over on yesterday, and take up the business in its order.

Which motion was adopted

Mr Norman acting Chairman of the Committee on

Friday Novr 19th 1875

Education under the order of business submitted the following report.

Mr President

The Committee on Education

NR 221 have had under consideration HR No 221 a bill for an "Act to provide for the Cancellation and re-issue of outstanding school warrants, and provide a uniform system of registering and re issuing the same" and direct me to report the same back to the Senate with a recommendation that it do pass.

The report was received and adopted and House Bill No 221 was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 23. Nays 2. Excused from voting 1 absent and not voting 5.

The Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Grey Hart Haycock House Johnson Loughborough Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 23

The Senators voting in the negative were Messrs Hicks and Pindall 2

The Senator Excused from voting was Mr Jones 1

Those Senators absent and not voting were Messrs Black Forney Henderson McCallum and Thower 5

Mr Toomer appeared within the bar of the Senate and answered to his name.

On motion of Mr Jones the regular order of business was suspended for the purpose of receiving the report of a Select Committee.

Mr Pindall chairman of the Select Committee to whom

NJR 38 was referred House Joint Resolution No 38. then submitted the following report.

Mr President

Your Special Committee to whom was referred HJR No 38 have had the

same under consideration and direct me to report the accompanying substitute and recommend the adoption of the Substitute.

The report of the Committee was received and the Substitute of the Committee for H J R No 38 was read the first time and under a suspension was read a second time and adopted.

HJR 38

Mr Warren Chairman of the Special Joint Committee to whom was referred House Bill No 219 submitted the following report.

Mr President.

The Special Committee of the Senate and House to whom was referred House Bill No 219 have had the same under consideration and instruct me to report the accompanying Bill as a Substitute and recommend its passage.

HR 219

The report of the Committee was received and the substitute for House Bill No 219, reported by the Committee was read the first time and adopted entitled "An act to amend section 3894 and to repeal sections 3900 and 3902 of Gantt's Digest."

On motion of Mr Warren the rules were then suspended and the Substitute bill was read the second time, and on motion of Mr Pindall was placed in its order on the Calender.

Mr Toomer by unanimous consent (previous notice of the same having been given) introduced a Bill entitled "an act to establish separate Courts in the County of Yell."

SB 299

Which was read the first time and on motion of Mr Toomer the rules were suspended - the Bill was read the second time and referred to the Committee on the Judiciary.

Mr Loughborough Chairman of the Finance Committee, under the order of business submitted the following report.

Mr President

I have the honor to report that the Finance Committee have had under consideration H B No 234 "An act to amend Section 75 of an act entitled an act fixing the regular terms for holding the County Courts of the State, and

HR 234

Friday Novr 19th 1875

for fixing the salary of the County Judges and per diem of associate Justices of the Peace in the several Counties of this State approved February 5th 1875" and recommend that said Bill be so amended as to strike out all of section 1 that relates to a County Board of Equalization, and when so amended that the Bill do pass.

The report of the Committee was received and the amendment proposed that is, to "Strike out all of section one that relates to a County Board of Equalization" was read the first time and on a suspension of the rules was read a second time and adopted.

Mr Brown chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

SB 262 — Your Committee to whom was referred Senate Bill No 262 it being "An act to amend section one of a general Election law" report the same correctly Engrossed as amended.

The Special Order for this hour being Senate Bill No 262 was then taken up.

Mr East moved to post pone consideration of the Special Order.

Which motion was lost.

Senate Bill No 262 "An act to amend section one of an act to provide a general election law" was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 23. Nays none. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Haycock Hicks House Johnson Jones Loughborough Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs Black Forney Grey Hart Henderson McCallum Prower and Tooner 8

So the Bill Passed

On motion of Mr Norman the Hon W F Slemons was invited to a seat within the bar of the Senate

On motion of Mr Grey Mr Holland was invited to a seat within the Bar of the Senate

The next Special order for this hour being Senate Substitute for Senate Bill No 285 "A Bill for an act to be entitled an act to donate all the lands forfeited to the State for non payment of taxes and all the Swamp and overflowed lands lying in the Counties of Franklin Crawford, Washington Benton and Madison to said Counties for the purpose of aiding in the construction of a Railroad through said Sections" was then taken up - the Bill was read the third time and placed on its passage.

SB 285

The question then being Shall the Bill pass? it was decided in the affirmative. Ayes 15. Nays 8. Excused from voting 1. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Grey Hart Jones Loughborough Norman Pindall Reagan Sims Tobey Turner Walker Wheeler and Mr President. 15

Those Senators voting in the negative were Messrs Blackwell Brown Hicks House Johnson Sullivan Warren and Williams 8

The Senator Excused from voting was Mr Haycock 1

Those Senators absent and not voting were Messrs Black East Ferrier Henderson McCallum Mercer and Toomer. 7

So The Bill Passed.

§ Sub for SB 239.

Senate Substitute for Senate Bill No 239 "A Bill to be entitled an act supplemental to an act authorizing the several Counties in the State to fund their outstanding indebtedness" approved March

Friday Novr 19th 1875

6th 1875" being the next Special order was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 20. Nays none. Excused from voting 1. absent and not voting 10.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell Fletcher Grey Hart Haycock Hicks House Johnson Loughborough Norman Pindall Sims Tobey Turner Warren Wheeler Williams and Mr President 20

The Senator Excused from voting was Mr Jones 1

Those Senators absent and not voting were Messrs Black. East Forney Henderson McCallum Reagan Sullivan Thower Toomer and Walker 10

So the Bill Passed.

Mr Brown Chairman of the Committee on Engrossed Bills Submitted the following report

Mr President

SB 298 Your Committee to whom was referred Senate Bill No 298 it being an act to be entitled an act to provide for the punishment of delinquent apportioning Justices in certain cases" report the same correctly Engrossed.

The report of the Committee was received and on motion Senate Bill No 298 was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 19. Nays 6. absent and not voting 6.

The Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart House Johnson Jones Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Wheeler Williams and Mr President 19

The Senators voting in the negative were Messrs Blackwell East Grey Hicks Loughborough and Warren 6

Those Senators absent and not voting were Messrs Black Forney Haycock Henderson M'Callum and Thrower 6

And so the Bill Passed

On motion of Mr Loughborough the consideration of
HR 274 the amendments to House Bill No 274 was resumed.

Mr Hart called to the Chair

A Message from the House of Representatives by its assistant Clerk who appeared within the bar of the Senate and read as follows

House of Representatives
Nov 19th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the
SB 248 passage by the House of Senate Bill No 248, "an act regulating the time and manner of holding Elections for the determination of the amount of taxes to be levied for School purposes and for ratifying such Elections heretofore held during the year 1875" with the following amendment, "Strike from the first section the words "Second Monday in September" and insert in lieu thereof the words "The 3rd Saturday in August." and herewith respectfully return the same

Chas C Reed
Clerk

The consideration of the adoption of the amendment to
HR 274 House Bill No 274 was resumed and after discussion the question being put Shall the amendment be adopted?

Mr Norman called for the ayes and nays and the call was sustained.

The question then being Shall the amendment be adopted? it was decided in the negative Ayes 5, Nays 21, absent and not voting 5.

The Senators voting in the affirmative were Messrs Blackwell Hicks Norman Tobey and Tomes. 5

Those Senators voting in the negative were Messrs Brown Cumbell East Fletcher Gay Hart

Friday Novr. 19th 1875

Haycock House Johnson Jones Loughborough Keagan Sims Sullivan Thover Turner Walker Warren Wheeler Williams and Mr President 21

The Senators absent and not voting were Messrs Black Forney Henderson McCallum and Pindall 5

So the Senate refused to adopt the amendment

4R 274 On motion of Mr Loughborough House Bill No 274 "A Bill to be entitled an act to provide for a proper representation of the State of Arkansas at the Centennial Exhibition in 1876." was then read the third time and placed on its passage.

The question then being shall the Bill pass?, it was decided in the affirmative, Ayes 21. Nays 5. Excused from voting 1. absent and not voting 4.

The Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Grey Hart Haycock House Johnson Jones Loughborough Keagan Sims Sullivan Thover Turner Walker Warren Wheeler Williams and Mr President 21

Those Senators voting in the negative were Messrs Blackwell Hicks Norman Tobey and Toomer 5

The Senator excused from voting was Mr Pindall 1

Those Senators absent and not voting were Messrs Black Forney Henderson and McCallum 4

So The Bill Passed

B 300 Mr Norman by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to amend an act to regulate the time of holding the Courts in the tenth Judicial District"

Which was read the first time and on motion of Mr Norman the rules were then suspended the Bill was read the second time and referred to the Committee on the Judiciary

B 301 Mr East by unanimous consent introduced a Bill of which previous notice had not been given entit

led "A Bill for an act to fix the time of holding the Probate Court of Pike County"

Which was read the first time and placed in its order on the Calender.

Mr Williams moved to adjourn his motion to the next the request of Mr East, who by unanimous consent introduced a Bill of which previous notice had not been given, entitled

SB 302 "A Bill for an act to fix the time of holding the County Courts of the County of Pike."

Which was read the first time and placed on the Calender.

Mr Jones asked and obtained leave of absence for one week

Mr Warren moved to adjourn to two O'Clock and thirty minutes this evening.

Which was not agreed to and

Mr Warren by unanimous consent introduced a bill of which previous notice had not been given Entit

SB 303 led "An act to adjust and liquidate the claim of L L Johnson and D N Reynolds for Levee work.

Which was read the first time and on motion of Mr Warren the rules were suspended - the Bill was read the second time and referred to the Committee on Claims

Mr Norman moved that the Senate do now adjourn to ten O Clock on Monday morning next.

Mr East moved as a substitute for the motion of Mr Norman "that the Senate do now adjourn."

The question then being shall the substitute be adopted? the Ayes and Nays were called for by Mr East and the call was sustained.

Upon the call of the roll the question was decided in the negative, Ayes 12 Nays 13. absent and not voting 6.

The Senators voting in the affirmative were Messrs Blackwell East Hart Hicks House Jones Sims Sullivan Tobey Walker Williams and Mr President 12

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Those Senators voting in the negative were Messrs Brown Campbell Fletcher Grey Haycock Johnson Loughborough Norman Pindall Reagan Toomer Turner and Warren 13

The Senators absent and not voting were Messrs Black Forney Henderson McCallum Thower and Wheeler 6

So the Senate refused to adopt the substitute. The vote then recurring upon the motion of Senator Norman that the Senate adjourn until ten O'clock on Monday morning next, which motion being put was adopted and thereupon the Senate adjourned until that time

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Journal of the Senate
Monday Nov 22d 1875
10 O'Clock A.M.

The Senate met pursuant to adjournment at 10: A.M

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Black Blackwell Brown Campbell Fletcher Hart Haycock Henderson Hicks Horne Loughborough McCallum Norman Reagan Sims Sullivan Tobey Walker Warren Wheeler and Williams 22

Those Senators failing to answer to their names at the call of the roll were Messrs Earl Forney Grey Johnson Jones Pindall Thower Toomer and Turner 9

Monday Novr 22d 1875

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of Friday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Senators Grey Pindall and Turner appeared within the Bar of the Senate and answered to their names.

On motion of Mr Toomer the Hon P M Gibson was invited to a seat within the bar of the Senate.

On motion of Mr Sims, Mr Thower was granted an indefinite leave of absence on account of indis-position.

Under the order of business, Mr Warren chairman of the Committee on Claims submitted the following report

Mr President

The Committee on claims to whom was referred Senate Bill No 303 "An act to liquidate the Claim of Johnson and Reynolds" have had the same under consideration and report the same back recommending its passage.

SB 303

The report of the Committee was received and on motion Senate Bill No 303 "An act to liquidate the Claim of L L Johnson and D H Reynolds for levee work" was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 19. Nays 3. Excused from voting 2. absent and not voting 7.

Those Senators voting in the affirm-ative were Messrs Black Blackwell Brown Camp-bell, Fletcher Grey Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 19

Those Senators voting in the negative were Messrs Haycock Hicks and M'Cullum 3

Monday Novr 22d 1875

The Senators excused from voting were Messrs Hart and Loughborough 2

The Senators absent and not voting were Messrs East Forney Henderson House Johnson Jones and Thower 7

So the Bill Passed

Mr Loughborough Chairman of the Committee on Finance submitted the following report.

Mr President

The Committee on

HR 88. Finance to whom was referred House Bill No 88 being "An act to amend Sections 5050 and 5054 of Gantt Digest" have the honor to report that they have had the same under consideration and herewith return the same with a substitute and the majority of the Committee recommend that the substitute be adopted and passed.

The report of the Committee was received and the substitute Bill was read the first time.

Mr Pindall moved that the report of the committee together with the substitute Bill be laid on the table and that the original Bill be recommitted to the Finance Committee, but withdrew the same.

On motion of Mr Loughborough the rules were then suspended and the substitute for House Bill No 88 was read the second time.

Mr Pindall then moved to amend the Bill by striking out the second section thereof.

The amendment was read the first time and under a suspension of the rules was read a second time and adopted.

Mr Pindall then moved to further amend the Bill by striking out of the first section the words "the term of one year" and inserting "the term of six months" in lieu thereof

The amendment was read a first time and under a suspension of the rules was read a second time and adopted.

The Bill was then read for information.

Mr Pindall then moved to amend the title of the Bill by striking therefrom the words "and 5054"

The amendment was read a first and a second time under a suspension of the rules and adopted.

The Substitute Bill as thus amended was then adopted and on motion of Mr Pindall was ordered Engrossed for a third reading.

Mr East appeared within the bar of the Senate and answered to his name.

Mr Sims by unanimous consent presented a petition of nineteen citizens of Independence County which without being read was referred to the Committee on County and County Lines.

Mr East by unanimous consent presented a memorial from the Physicians of Hempstead County which was read.

Mr East then moved that the memorial be refered to the select committee to whom similar memorials were refered last Session, but withdrew the same.

On motion of Mr Turner the memorial was then referred to a select Committee of two to consist of Senators Hart and Sullivan.

By unanimous consent Mr Loughborough then called up Senate Bill No 289, which on motion of Mr Turner was read the third time and placed on its passage.

SB 289

A Message from the House of Representatives by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill

Monday Novr 22d 1875

B 193 No 193 a bill for an act to be entitled "An act for the relief of laborers and Mechanics" with the following amendment. Section 1. amend by adding after the word "process" in the last line the words "provided that the defendant in any case shall file with the Court from which such process shall issue a sworn statement that said sixty days wages claimed to be exempt is less than the amount exempt to him under the Constitution of the State and that he does not own sufficient other personal property which together with the said sixty days wages would exceed in amount the limits of said Constitutional exemption." Also the passage by the House of Senate
R 246 amendment to H R No 246 "An act to fix the salaries of the County and Probate Judges of the Counties therein named." Also the passage of Senate Bill
B 187 No 187 "An act making an appropriation to procure Confirmation of Certain lands" and herewith respectfully transmit the same for your favorable consideration.

Chas C Reid Jr Clerk

The consideration of Senate Bill No 289 "An act to
B 289 amend section 1357 of Gantts Digest Chapter 17 on Larceny" was then resumed, and the question being shall the Bill pass? it was decided in the negative. Ayes 9 Nays 15 absent and not voting 7.

Those Senators voting in the affirmative were Messrs Grey Haycock Lough borough McCallum Pindall Sims Tobey Turner and Wheeler 9

Those Senators voting in the negative were Messrs Black Blackwell Brown Campbell Fletcher Hart Henderson Hicks House Reagan Tanner Walker Warren Williams and Mr President 15

Those Senators absent and not voting were Messrs East Forney Johnson Jones Norman Sullivan and Thrower 7

So the Senate refused to pass the Bill

Mr House acting chairman of joint select

Committee submitted the following report, by unanimous consent —
Mr President.

Your Committee to whom was referred the matter of fees, have had the same under consideration and beg leave to submit the accompanying bill and recommend the passage of the same.

SB 304

The report of the Committee was received and the bill reported by the same was read the first time and on motion of Mr Loughborough was laid on the table and 150 Copies ordered printed.

Mr Reagan called to the chair

Mr Johnson appeared within the bar of the Senate and answered to his name.

Under the regular order of business Mr Walker acting Chairman of the Committee on Expenditures submitted the following report.

Mr President

The Committee on Expenditures to whom was referred Senate Bill No 284 have had the same under consideration and direct me to report the same back and recommend that it do not pass.

SB 284

The report of the Committee was received and Mr Walker moved its adoption, but withdrew the same by request and on motion of Mr Loughborough the report of the Committee together with the Bill were laid on the table subject to call.

Mr Walker acting Chairman of the Committee on Expenditures also submitted the following report.

Mr President

The Committee on Expenditures to whom was referred Senate Bill No 283 have had the same under consideration and direct me to report the same back and recommend that it do pass.

SB 283

The report of the Committee was received and adopted and on motion of Mr Brown Senate Bill No 283.

Monday Nov. 22d 1875

"An act to authorize the sale of Gantts Digest and other books by the Secretary of State and for other purposes" was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 25. Nays none. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Johnson Loughborough M Callum Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler Williams and Mr President 25

Those Senators absent and not voting were Messrs Black Forney Grey Jones Thower and Toomer 6

So The Bill Passed

Mr Turner by unanimous Consent Called up
223 Senate Bill No 223 which on motion of Mr Turner was re-committed to the Committee on the Judiciary.

Mr Hart acting Chairman of the Committee on County and County lines, under the order of business submitted the following majority report. Mr President

Your Committee on County's
B 264 and County lines to whom was refered Senate Bill No 264 have had the same under consideration together with the Petition and Remonstrance accompanying the same and ask leave to make the following report. We find that by previous legislation the County of Marion has been reduced in area below the limit fixed by the Constitution while the County of Boone has an excess of territory and would not be reduced below such constitutional limit by the proposed change of boundary. We are of opinion that in Justice the East half range of Boone County should be attached to the County of Marion, but inasmuch as there are a few more names on the remonstrance than on the Petition, Your committee

make no recommendation as to the passage or rejection of the Bill, but report these facts for the consideration of the Senate and ask to be discharged from the further consideration of the Bill.

Mr Blackwell from the Committee on County and County lines submitted the following report from the minority of that Committee.

Mr President

Your Committee on Counties and County lines to whom was referred
SB 264 Senate Bill No 264, have had the same under consideration and a minority of said Committee beg leave to submit a minority report. The petition accompanying the Bill is signed by about one hundred persons; A remonstrance accompanies the Bill signed by over one hundred and twenty persons.

The notices are duly given, but one of the affidavits is erased and in pencil marked 4 throwing suspicion over the whole matter of notices.

If it be the correct rule under the Constitution to respect numbers, then the Committee ought to report against the passage of the Bill.

It is true the County of Marion as originally organized contains a less number of square miles than the Constitution of 1874 requires for each County, but it was so Established when the said Constitution was adopted and thereby legalized. The minority of the Committee therefore recommend that the Bill do not pass.

The question then recurring on the adoption of the minority report.

Mr Blackwell moved as a substitute for both reports that the further consideration of Senate Bill no 264 be indefinitely postponed.

Pending discussion upon the motion of Mr Blackwell.

Mr East moved that the further consideration of the subject be postponed.

And then announced the death of Vice

Monday Novr 22d 1875

President Henry Wilson and moved as a mark of respect to his memory that the Senate do now adjourn, and thereupon the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas W. Houston
Secretary

Senate Journal
Tuesday Nov 23rd 1875
10 o'Clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Black Blackwell Brown Campbell East Fletcher Grey Hart Henderson Hicks House Johnson M'Callum Norman Pindall Reagan Sullivan Thrower Tobey Tonner Turner Walker Warren and Williams 25

The Senators absent at the call of the roll were Messrs Forney Haycock Jones Loughborough Sims and Wheeler. 6.

A Quorum Present

Tuesday Novr 23d 1875

Prayer by the Revd Mr Burns

The Secretary then read the Journal of yesterday and there being no objection thereto it was approved and signed by the President and Secretary.

Senators Naycock and Wheeler appeared within the bar of the Senate and answered to their names.

HR 234 Mr Warren asked the unanimous consent of the Senate to call up House Bill No 234 but objection being made thereto, the regular order of business was taken up and.

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

SSub for HR 88 Your Committee to whom was referred Senate Substitute for House Bill no 88 - it being an act to amend Section 5050 of Gantts Digest report the same correctly engrossed.

The report was received

Mr Hicks Chairman of the Committee on the Penit-entiary submitted the following report.

Mr President

SB 293 Your Committee on the Penitentiary has had under consideration Senate Bill 293 "An act supplementary to an act to provide for the leasing and management of the State Pen-itentiary, approved April 15th 1873" and beg leave to report the same back with the following amend-ments. Amend Section 6 by commencing the first sentence with the words "A sufficient guard." Amend Section 9 in the 4th line after the word "every" by striking out "two weeks" and inserting the word "month". Amend Section 10 by adding after the word "Course" the words "Seven and a half pounds". Strike out Section 11. And the following as add-itional Sections to the Bill.

Section 14. The Board of Penitentiary Commissioners shall appoint an Inspector of Penitentiary who may be removed at any time by the board, whose duty it shall be to visit the Penitentiary twice each week, and make a report to said Board once a month, on all

Tuesday Nov. 23d 1875

matters pertaining to the management of the Penitentiary, the condition of the prisoners, their treatment, food, clothing and all other matters as may be required by the Board.
Said Inspector shall receive a salary of twenty five dollars per month.

Section 15. The Board of Penitentiary commissioners shall have full power to compel the attendance of witnesses in all investigations that may come before said Board, and the same power to punish for contempt, as is now provided by law for Circuit Judges; and that the presiding Officer of said Board is hereby authorized and empowered to administer oaths to all witnesses called before said Board, who shall be allowed such compensation as is now paid to witnesses before Grand Jury.

As thus amended we recommend that the Bill do pass.

The report of the Committee was received, and the amendments recommended were read the first time and on motion of Mr Hicks the rules were then suspended the amendments were read the second time and adopted.

On motion of Mr Hicks the Bill as thus amended was then ordered engrossed and made the special order for Eleven O'Clock on tomorrow.

On motion of Mr East the regular order of business was then suspended and the consideration of the indefinite postponement of Senate Bill No 264 which was laid over on yesterday, was resumed.

SB 264

Senator Sims appeared within the bar of the Senate and answered to his name.

Mr Hicks was called to the Chair.

A Message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 23d 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H R 269. "An act to prevent the introduction of paupers, Idiots and Lunatics

HR 269

HR 241 into this State." Also HR 241 "An act to prevent the buying and selling of Corn Wheat Rye oats or Cotton within
HR 245 certain hours." Also HR 245 "An act to prohibit the sale of alcoholic Spirits, bitters or vinous Liquors within a distance of one half mile of Hickory Grove School House
HR 263 Sebastian County." Also HR 263 "An act to authorize the School District of Little Rock to fund its outstanding
HR 252 indebtedness and for other purposes." Also HR 252 "An act to incorporate the Arkansas Home Institute." Also SB
SB 258 258 "An act requiring all State and County Officers to procure their Commissions and for other purposes." Also SB
SB 279 279 "An act to amend Section one of an act entitled an act to Change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the Second Judicial Circuit to hold a term of the Circuit Court in each of the Counties of Clayton Greene and Craighead." Also the Concurrence by the
HR 222 House in Senate amendment to HR 222. "An act authorizing the County and Probate Judges to draw their Salaries and for other purposes" by adding the word "quarterly" after the word "issue" in 4th line of Section one. Also the concurrence by the House in Senate an-
HJM 23 -endment to House Memorial No 23 Memorializing Congress to refund the Cotton tax" by striking out the words "to the people of the Cotton growing States" and adding the words "our Senators and Representatives" instead of "one Senator and Representative"

Chas C Reid Jr
1st Asst Clerk

The Consideration of the indefinite postponement of Sen-
SB 264 -ate Bill No 264 was resumed and after discussion the question being Shall the Bill be indefinitely postponed. The ayes and nays were called and the Call was sustained.

Upon the call of the roll the question was decided in the negative. Ayes 13. Nays 13 - absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Grey Henderson Hicks Horse M Callum Pindall Sullivan Turner Warren and Mr President 13

Those Senators voting in the negative were Messrs Campbell Fletcher Hart Johnson Loughborough

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Norman Reagan Sims Tobey Toomer Walker Wheeler & Williams 13

Those Senators absent and not voting were Messrs East Forney Haycock Jones and Thomas 5

And so the Senate refused to postpone indefinitely Senate Bill No 264.

SB 264 On motion of Mr Bunch S Bill 264 together with all the papers pertaining thereto was re-committed and referred to the Judiciary Committee

SB 305 Under the order of business Mr Johnson by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to be entitled an act for the relief of William D Haynes George W Dobson John Cook Thomas B Trigg, William N Stucklin, Frank M Thompson and Jacob B Powell as securities on the bond of Floyd C Wood late Sheriff and Collector of Lafayette County Arkansas."

Which was read the first time and on motion of Mr Johnson the rules were suspended and the Bill was read the second time and referred to the Committee on Claims.

SB 127 SSub for SB's 70 & 98 Mr Brown by unanimous consent called up Senate Bill No 127 the same being Senate Substitute for Senate Bills Nos 70 and 98, and on motion of Mr Brown the original Bills together with the Substitute were referred to the Special Committee appointed on yesterday, and composed of Senators Hart and Sullivan.

Mr Norman acting Chairman of the Committee on Expenditures submitted the following report.

Mr President

I have the honor to report that the Committee on Expenditures have

SB 294 had under consideration Senate Bill No 294 "An act to provide for the enlargement of the grounds and the extension of the walls of the State Penitentiary, and to provide for the erection of a new cell building for said Penitentiary" and have directed me to report the same back to the Senate and recommend the following amendments, viz: In line 2 of Section 7 strike out "a sum double the estimated cost of said work" and insert

"the sum of twenty five thousand dollars" and in section 8 in first line after "dollars" insert "payable in three annual installments", and as an addition to said section 8 the words "provided the said cell building shall be completed within six months from date of contract to build the same," and amend section 9 by adding thereto "provided that if said work shall be completed within any time after the first installment is due, said Board of Commissioners are hereby directed, authorized and empowered to make requisition upon the Treasurer for so many of the bonds authorized to be issued under act approved December 23d 1874, as are necessary to pay said contractor for said work, and if accepted by said contractor, then said Board of Commissioners will take up and cancel all warrants therefore issued to said contractor, which shall be filed with said Treasurer as a credit for the Bonds aforesaid." And when said Bill is so amended your Committee recommend that it do pass.

The report of the Committee was received and the amendments were read the first time, and on motion the rules were suspended and the amendments were read the second time and adopted.

On motion of Mr Norman the Bill as thus amended was ordered engrossed and made the special order for twelve O'Clock on to-morrow.

On motion of Mr Staycock the Hon W P Grace was invited to a seat within the bar of the Senate.

Mr Sullivan Chairman of the Committee on Auditors and Treasurers Books submitted the following report. Mr President

The Committee on Auditors and Treasurers Books to whom was
S & R 240 referred House Bill No 240 have had the same under consideration and have instructed me to return the Bill and recommend the Bill do pass.

The report of the Committee was received and adopted and House Bill No 240 was placed in its order on the Calender.

Mr Turner chairman of

Tuesday Novr 23d 1875

the Judiciary Committee submitted the following report. Mr President

The Committee on the Judiciary to whom was recommitted Senate Bill No 223

SB 223 entitled "an act to provide for a revision of Gantt Digest in the form of a supplement thereto" have had the same under consideration and a majority of the Committee instruct me to report the Bill back to the Senate with a recommendation that it do not pass.

The report of the Committee was received and adopted and Senate Bill No 223 was rejected thereby.

Mr Turner Chairman of the Judiciary Committee also submitted the following report. Mr President

The Committee on the Judiciary to whom

SB 292 was referred Senate Bill No 292 entitled "An act to regulate the time of holding the Courts in the fifth Judicial District" have had the same under consideration and ask leave to report the Bill back to the Senate with a recommendation that it be referred to a joint Committee of the Senate and House of Representatives composed of all the Senators and Representatives from the fifth Judicial District.

The report of the Committee was received and adopted

Mr House Chairman of the Committee on Education submitted the following report.

Mr President

Your Committee

SB 287 to whom was refered Senate Bill No 287. "A Bill for an act to appropriate money to finish the Arkansas Industrial University building and for other purposes" have had the same under consideration and herewith respectfully return the same and recommend its passage, with the following amendment. In section one strike out the words "two thousand nine hundred and thirty ($2930 00) dollars" and insert in lieu thereof the following "Four thousand four hundred and thirty ($4430 00) dollars."

The report was received and the amendment

offered by the Committee was read the first time. On motion of Mr House the rules were then suspended - the amendment was read the second time and adopted and the Bill as amended was ordered Engrossed and made the Special Order for Eleven O'Clock on tomorrow.

Under the order of business Mr Johnson by unanimous consent introduced a Bill of which previous notice had not been given, entitled "A Bill for an act to punish persons in this State for obtaining money, goods, wares supplies &c under false pretences and for other purposes."

SB 306

Which was read the first time and on motion of Mr Loughborough 150 Copies were ordered printed.

Mr Warren by unanimous consent introduced a Bill of which previous notice had not been given entitled "An act amendatory of existing laws regulating the sale of the lands of the State."

SB 307

Which was read the first time and on motion of Mr Warren the rules were suspended - the Bill was read the second time and referred to the Committee on State lands.

Mr Norman by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to repeal sections 3024 and 3025 of Gantts Digest".

SB 308

Which was read the first time. On motion of Mr Norman the rules were then suspended, the Bill was read the second time and referred to the Committee on Finance.

Mr Pindall by unanimous consent introduced a Bill of which previous notice had not been given entitled "An act to fix the Salary of the County and Probate Judge of Ouachita County".

SB 309

Which was read the first time and under a suspension of the rules was read a second time and it together with the accompanying Memorial was referred to the Committee on County and County Lines

Tuesday Novr 23rd 1875

SB 193 On motion of Mr Loughborough Senate Bill No 193 was called up and the House amendment thereto was read the first time, and on motion of Mr Loughborough the rules were suspended and the amendment was read the second time, and the Bill and amendment were laid over under the rules and made the Special order for 12 m tomorrow

HR 234 On motion of Mr Warren House Bill No 234 was taken up and read the third time and placed on its passage.

And then on motion of Mr Pindall the Bill was re-committed to the Committee on Finance.

SB 301 Senate Bill No 301 "A Bill for an act to fix the time of holding the Probate Court of Pike County" was then taken up and read the second time.

On motion of Mr East the rules were then suspended the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative, Ayes 25, Nays None, absent and not voting 6, Excused from voting 1.

Those Senators voting in the affirmative were Messrs Black Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Johnson Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President 25

The Senator excused from voting was Mr Blackwell 1

The Senators absent ~~absent~~ and not voting were Messrs Forney, Grey Jones Thurmer and Walker 5

So The Bill Passed

SB 302 Senate Bill No 302 "A Bill for an act to fix the time of holding the County Courts of Pike County" was then taken up and read the second time, and on motion of Mr East the rules were then

suspended the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 25. Nays none. Excused from voting 1. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Johnson Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President. 25

The Senator Excused from voting was Mr Blackwell. 1

Those Senators absent and not voting were Messrs Forney Grey Jones Thower and Walker 5

So The Bill Passed

On motion of Mr Warren the Senate then adjourned.

Bradley Barnes
President of the Senate

Thomas W. Newton
Secretary

Journal of The Senate
Wednesday Novr. 24th 1875
10 O'Clock A.M.

The Senate met at 10 O'Clock A.M.

The Secretary called the roll when the following Senators answered to their names, Mr President Bunch and Messrs Black Blackwell Brown Campbell East Fletcher Gray Hart Haycock Hicks House Loughborough M'Callum Norman Pindall Reagan Sims Sullivan Thower Turner Walker Wheeler and Williams 24

Those Senators failing to answer to their names at the call of the roll were Messrs. Forney Henderson Johnson Jones Tobey Toomer and Warren 7

A Quorum announced as present

Prayer by the Revd. Mr Mackey.

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Mr Loughborough by unanimous consent offered the following resolution.

SJR 43 Resolved— that a Select committee of three senators be appointed to inquire into the practicability of placing the pupils of the Deaf Mute Institute in the buildings of the Blind Asylum, and applying the building of the Deaf Mute Institute to the uses of an Insane Asylum.

Resolved that the House of Representatives be requested to appoint a Committee to act in Conjunction with the Committee hereby constituted, and that the Committee report by Bill or otherwise.

The Resolution was read the first time and adopted, and the President appointed Messrs Loughborough Norman and Walker as such Committee on the part of the Senate.

Mr Brown Chairman of the Committee on Engr

-ossed Bills submitted the following report.
Mr President.
Your Committee to whom was referred Sen-
S.B 293 -ate Bill No 293 it being an act supplementary to an act to provide for leasing and management of the State Penitentiary, approved april 15th 1873." report the same Correctly Engrossed as amended.
The report was received

Mr Turner asked the appointment of a committee on the part of the Senate to act in conjunction with a like Committee on the part of the House, as reco-
S.B 292 -mmended by the Judiciary Committee on yesterday in their report upon Senate Bill No 292.
Which was agreed to and the President appointed Senators Turner, Wheeler Toomer, Tobey and Campbell as such Committee.

Senators Henderson and Toomer appeared with in the bar of the Senate and answered to their names.

Mr Campbell Chairman of the Committee on Enr-
-olled Bills submitted the following report.
Mr President.
The Committee on Enrollments have
S.B 187 Examined Senate Bill No 187. being an act making appropriation to procure confirmation of Certain lands" and have instructed me to report the same correctly Enrolled. Said Bill has been signed by the Speaker of the House, President of the Senate and del-
-ivered to his Excellency the Governor for his consideration.
The report was received

S Sub for HJR 38 Under the order of business Senate Substitute for House joint Resolution No 38 "A Joint Resolution to adjourn both Houses of the General Assembly sine die on Friday the 10th day of December 1875." was then taken up and Mr Hicks moved that the resolution be read the third time and placed upon its passage.
Mr Hacker then mo-
-ved to amend the Resolution by striking out the words "10th day of December" and to insert in lieu thereof the words "first day of December".
Mr Loughborough then

Wednesday Nov 24th 1875

moved to amend the amendment by striking out the words "first day of December" and inserting in lieu thereof the words "fourth day of December."

Which was accepted by Mr Walker.

The question then being shall the amendment be adopted; it was by a rising vote decided in the negative.

SSub for HJR 38

Senate Substitute for House Joint Resolution No 38 "A resolution to adjourn both Houses of the General Assembly Sine Die on Friday the 10th day of December 1875" was then read the third time and placed on its passage. The question then being shall the resolution pass? it was decided in the affirmative, Ayes 26. Nays none, absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black. Blackwell, Brown Campbell East Fletcher Hart Haycock Henderson Hicks Horne Longborough M'Callum Norman Pindall Reagan Sims Sullivan Thower Toomer Turner Walker Warren Wheeler Williams and Mr President. 26

The Senators absent and not voting were Messrs Forney Grey Johnson Jones and Tobey 5

So The Resolution Passed

SSub for HR 88

Senate Substitute for House Bill No 88 "An act to amend section 5050 of Gantts Digest" was then taken up and read the third time and placed on its passage. The question then being shall the Bill pass? it was decided in the affirmative. Ayes 24. Nays none, Excused from voting 1. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Black Blackwell, Brown Campbell East Fletcher Haycock Henderson Horne Longborough M'Callum Norman Pindall Reagan Sims Sullivan Thower Toomer Turner Walker Warren Wheeler Williams and Mr President 24

The Senator excused from voting was Mr Hicks

The Senators absent and not voting were Messrs Forney Grey Hart Johnson Jones and Tobey 6

So The Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

SB 287 Your Committee to whom was referred Senate Bill No 287, it being an act to appropriate money to finish the Arkansas Industrial University buildings and for other purposes" report the same correctly engrossed.

The report was received

S Sub for HR 219 Senate Substitute for House Bill No 219 "A Bill to be entitled "An act to amend section 3894 and to repeal sections 3900 and 3902 of Gantts Digest" was then taken up and on motion of Mr Warren was read the third time and placed on its passage. The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 24. Nays one. Excused from voting 1 absent and not voting 5.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Campbell Fletcher Hart Haycock Henderson Hicks House Loughborough M Callum Norman Pindall Sims Sullivan Thower Toomer Turner Walker Warren Wheeler Williams and Mr President 24

The Senator voting in the negative was Mr East 1

The Senator excused from voting was Mr Keagan 1

Those Senators absent and not voting were Messrs Forney Grey Johnson Jones and Tobey 5

So The Bill Passed

HR 240 House Bill No 240 "An act to amend section 2790 of Gantts Digest of the laws of Arkansas" was then taken up and on motion of Mr Sullivan was read the third time and placed on its passage.

Wednesday Nov 24th 1875

The Question then being Shall the Bill pass? it was decided in the affirmative, Ayes 24 Nays 1 absent and not voting 6.

Those Senators who voted in the affirmative were Messrs Black Blackwell Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough McCallum Norman Reagan Sims Sullivan Thower Turner Walker Warren Wheeler Williams and Mr President 24

The Senator voting in the negative was Mr Pindall 1

The Senators absent and not voting were Messrs Forney Grey Johnson Jones Tobey and Toomer 6.

So The Bill Passed

HR 239 House Bill No 239 "An act to authorize the City authorities of Cities of the first and Second Class and Incorporated Towns to levy and collect a tax of one hundred dollars from each public auctioneer" was then taken up and on motion of Mr Loughborough was read the third time and placed on its passage. The question then being shall the Bill pass? it was decided in the affirmative Ayes 25, Nays none. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thower Turner Walker Warren Wheeler Williams and Mr President 25

Those Senators absent and not voting were Messrs Forney Grey Johnson Jones Tobey and Toomer 6.

So The Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President

SB 294 Your Committee to whom was referred Senate Bill No 294. it being an act to be entitled "An

act to provide for the enlargement of the grounds and the extension of the walls of the State Penitentiary and to provide for the erection of a new cell building for said Penitentiary" report the same correctly engrossed.

The report was received.

HR 267 House Bill No 267. "An act to amend Section 4890 of Gantts Digest" was then taken up and on motion of Mr Hicks was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 24. Nays none. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Block Blackwell. Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Turner Walker Warren Wheeler Williams and Mr President. 24

Those Senators absent and not voting were Messrs Forney. Grey Johnson Jones Thower Tobey and Poonier 7

So The Bill Passed

Mr Warren called to the Chair

SB 293 On motion of Mr Loughborough the Special Order for this hour, being Senate Bill No 293 "An act supplementary to an act to provide for the leasing and management of the State Penitentiary, approved April 15th 1873" was then taken up – read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 18. Nays 7. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Grey Hart Haycock Hicks Loughborough McCallum Norman Reagan Sims Sullivan Turner Walker Warren Wheeler Williams and Mr President 18

Those Senators voting in the negative were Messrs

Wednesday Novr 24th 1875

Black Blackwell East Henderson Horse Pindall and Toomer 7.

Those Senators absent and not voting were Messrs Brown Forney Johnson Jones Thower and Toby 6.

So The Bill Passed

SB 287 The next Special Order being Senate Bill No 287. "An act to appropriate money to furnish the Arkansas Industrial University building and for other purposes" was then taken up and on motion of Mr House was read the third time and placed on its passage.

A Message from the Governor by his private Secretary Genl C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Nov 24th 1875

To The Hon President of the Senate of Arkansas and the members thereof.

Gentlemen

I have approved and

SB 206 signed Senate Bill No 206 "An act to be entitled an act to enlarge the bounds of the Penitentiary grounds". Also

SB 187 Senate Bill No 187 "An act making an appropriation to procure a confirmation of lands donated by Congress to the State" and herewith the same is returned.

Very Respectfully
A H Garland
Governor of Arkansas

SB 287 The consideration of Senate Bill No 287 was then resumed and after debate thereon.

On motion of Mr Loughborough the further consideration of the Bill was postponed until Eleven and a half O'Clock on Friday next.

Mr Brown by unanimous consent introduced

SB 310 a Bill of which previous notice had not been given, entitled "An act to change the name of "Clayton" County to "Clay"

Which was read the first time.

On motion of Mr Brown the rules were then suspended the Bill was read the second time and made the Special Order for Eleven O'Clock on Friday next.

Mr Turner by unanimous consent presented a petition of Physicians of Crawford County which was read and on motion of Mr Turner was referred to the Select Committee composed of Senators Hart and Sullivan.

Mr Fletcher moved to adjourn to 10 O'Clock on Friday next. but withdrew the same.

On motion of Mr Loughborough, the next
SB Special order being the amendment to Senate Bill No 193 "An act for
193 the relief of laborers and Mechanics" was taken up and on motion the House amendment to the Bill was then read the third time* and the question then being Shall the Senate concur therewith?, it was decided in the affirmative. Ayes 23. Nays none absent and not voting 8.

Those Senators voting in the affirmative were. Messrs Black Blackwell Brown Campbell Fletcher Hart Haycock Henderson Hicks House Loughborough McCallum Norman Puidall Reagan Sims Sullivan Turner Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs East Forney Grey Johnson Jones Thower Tobey and Toomer. 8

So the Senate concurred in the amendment of the House to the Bill.

SB 248 Mr House called up Senate Bill No 248 and the House amendment thereto was read the first time.

On motion of Mr House the rules were then suspended the amendment was read the second time and adopted, and the Bill as amended was made the Special Order for Eleven O'Clock and thirty minutes on Saturday next.

* On motion of Mr House the Hon W J Thompson was invited to a seat within the bar of the Senate.

* Section 1. amend by adding after the words "process" in the last line the words "provided in an case Shall file with the Clerk of said Circuit Court from which such process shall issue that the defendant claims wages a sworn statement that he does not own sufficient other exempt to him under the Constitution of the State, and that he does not own sufficient other personal property which together with said sixty days wages would exceed in amount the limits of said Exemption."

Wednesday Novr 24th 1875

SB 311

Mr Ridall by unanimous consent introduced a Bill of which previous notice had not been given, entitled "An act to amend section 1101 of Gantts Digest."

Which was read the first time, and on a suspension of the rules was read the second time and referred to the committee on the Judiciary

Mr Fletcher then renewed his motion, whereupon the Senate adjourned to ten O'Clock A.M. on Friday next.

Bradley Bunch
President of the Senate.

Thomas W. Newton
Secretary

Journal of the Senate
Friday Novr 26th 1875

The Senate met pursuant to adjournment at 10 O'clock a.m.

The roll was called by the Secretary and the following Senators answered to their names, Mr President Bunch and Messrs Black Blackwell Campbell Fletcher Grey Hart Henderson Hicks Horne Johnson Loughborough McCallum Norman Ridall Reagan Sims Sullivan Tobey Turner Walker Warren Wheeler and Williams. 24

Those Senators absent at the call of the roll were Messrs Brown East Forney Hancock Jones Thrower and Toomer

A Quorum announced as present-

Friday Novr 26th 1875

Prayer by the Revd Mr Burns

The Journal of Wednesday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Mr East appeared within the bar of the Senate and answered to his name.

On motion of Mr East the Hon L J Joyner was invited to a seat within the bar of the Senate

On motion of Mr Walker Professor James Mitchell was invited to a seat within the bar of the Senate

Mr Loughborough was at his request excused from serving on the Committee of three on the part of the Senate appointed on yesterday to consider the Resolution regarding the Deaf Mute Institute, and Senator Sullivan was appointed in his steach.

Mr Campbell chairman of the Committee on Enrolled Bills submitted the following report.

Mr President

The Committee on Enrollments have examined
S.B 258 Senate Bills No.s 258 and 279 "an act requiring all State
" " 279 and County Officers to procure their commissions", and "An act to amend an act entitled an act to change the time for holding the Courts in the Sixth Judicial Circuit" and have instructed me to report said Bills correctly Enrolled. Both bills has been signed by the Speaker of the House, President of the Senate and delivered to his Excellency the Governor for his consideration.

The report was received

The Special Order laid over on Wednesday, being Senate
SB294 Bill No 294 "An act to provide for the enlargement of the grounds and the extension of the walls of the State Penitentiary and to provide for the erection of a new Cell building for said Penitentiary" was then taken up and the Bill was read the third time and placed on its passage.

A message from the House by assistant Clerk C C Reid Jr who appeared within the bar of the Senate and

Friday Novr 26th 1875

read as follows. Hall House of Representatives
Novr 26th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage
SB 136 by the House of S B 136 "An act regulating proceedings in County Courts in cases of Bastardy and for
HR 272 other purposes". Also H R 272 "An act to incorporate the National Charity Hospital of Hot Springs". Also
HR 229 H R 229. "An act to change the name of Sarber County to that of Logan and for other purposes." Also H R
HR 268 No 268. "An act to provide for the printing and sale of
Sub HR 57 the Supreme Court reports." Also Sub H R No. 57 "An act to encourage Sheep raising in this State." Also H R
HR 257 257. "An act to refund moneys to Washington County erroneously collected from the tax payers of said
SJR 42 County." Also S J R No 42 "to authorize the appointment of Commissioners to report upon the feasibility of introducing Sea, and other fish into the water Courses of Arkansas." and herewith respectfully transmit the same for your favorable consideration.

Chas C Reid Jr
1st Asst Clerk. Leg H

The question then being on the passage of the Bill; it
SB 294 was decided in the affirmative. Ayes 22. Nays 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Black Blackwell Brown Campbell Fletcher Gray Hart Henderson Hicks House Johnson McCallum Norman Pindall Sims Sullivan Turner Walker Warren Wheeler Williams and Mr President. 22

The Senator voting in the negative was Mr Tobey 1

Those Senators absent and not voting were Messrs East Forney Haycock Jones Loughborough Reagan Thrower and Toomer 8

So The Bill Passed.

HR 245 Under the order of business House Bill No 245 "An act to prohibit the sale of Alcoholic Spirits, bitters, or vinous liquors within a distance of one half mile of Hickory Grove School House Sebastian County" was taken up and

read the first time.

On motion of Mr Wheeler the rules were then suspended the Bill was read the second time and placed in its order on the Calender.

HR 241 House Bill No 241 "An act to prevent the buying and selling of corn, wheat, rye, oats or Cotton within certain hours" was then taken up and read the first time.

On motion of Mr Warren the rules were then suspended - the Bill was read the second time and referred to the Committee on Agriculture.

HR 252 House Bill No 252 "An act to incorporate the Arkansas Home Institute." was next taken up and read the first time.

On motion of Mr Sullivan the rules were suspended and the Bill was read the second time and referred to the Committee on the Judiciary.

HR 263 House Bill No 263. "An act to authorize the School District of Little Rock to fund its outstanding indebtedness and for other purposes" was then taken up and read the first time.

On motion of Mr Loughborough the rules were suspended - the bill was read the second time and referred to the Committee on Education.

On motion of Mr Turner the Hon A D Hawkins was invited to a seat within the bar of the Senate.

HR 269 House Bill No 269. "An act to prevent the introduction of paupers, Idiots and lunatics into this State." and for other purposes." was taken up and read the first time.

On motion of Mr Wheeler the rules were then suspended - the Bill was read the second time and on motion of Mr Longhborough was referred to the Committee on the Judiciary.

Under the order of business Mr Thrower presented a petition from Citizens of his district, which without

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being read was referred to the Committee on County and County Lines.

Mr Thower under the order of business gave the following notice.

Mr President:

Notice is hereby given that I will at an early day introduce a Bill to Change the line between the Counties of Nevada and Ouachita.

Mr Norman acting chairman of the Judiciary Committee submitted the following report.

Mr President

SB 300 Your Committee on the Judiciary have had under Consideration Senate Bill No 300 and have directed me to report the same back to the Senate with the accompanying substitute for the same, and they recommend the passage of said substitute as your Committee are informed that the same has been agreed upon by the Bench and Bar of said 10th Judicial District.

The report was received and the substitute of the Committee for Senate Bill No 300 was read the first time. On motion of Mr Norman the rules were then suspended - the Substitute Bill was read the second time and adopted and made the Special Order for Eleven O'Clock on tomorrow.

Mr Norman acting Chairman of the Finance Committee also submitted the following report.

Mr President.

NR 234 The finance Committee have had under consideration A R No 234 "An act to amend section 75 of an act entitled An act fixing the regular terms of holding the County Courts of this State and for fixing the salaries of the County Judges and the per diem of associate Justices in the several Counties in this State approved February 5th 1875." and have directed me to report the same back to the Senate and recommend that Section 1 of said act be amended by striking out all of that portion of said section commencing with 63rd line of said Section "the County court constituted as aforesaid &c" down to Section 2, and when so amended your Committee recommend

the passage of the Bill.

The report was received and the amendment proposed by the Committee was read the first time and on motion of Mr Warren the rules were then suspended, the amendment was read the second time and adopted.

HR 234 On motion of Mr Loughborough House Bill No 234 "An act to amend section 75 of an act entitled an act fixing the regular terms for holding the County Courts of the State and for fixing the salaries of the County Judges and the per diem pay of Associate Justices in the several Counties of this State approved February 5th 1875." was then read the third time and placed on its passage.

The question then being on the passage of the Bill; it was decided in the affirmative, Ayes 18. Nays 5. Excused from voting 1. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell Fletcher Hart Henderson House Johnson Loughborough Norman Reagan Sims Toomer Turner Walker Warren Wheeler and Williams 18

Those Senators voting in the negative were Messrs Hick M'Cullum Pindall Sullivan and Mr President 5

The Senator excused from voting was Mr East 1

The Senators absent and not voting were Messrs Black Forney Grey Haycock Jones Thrower and Tobey 7

So The Bill Passed

SB 310 The Special Order for this hour being Senate Bill No 310 was on motion of Mr Warren temporarily postponed and.

Mr Warren chairman of the Committee on Claims submitted the following report.

Mr President.

The Claims committee to whom was

SB 305 referred Senate Bill No 305 have had the same under consideration and return the same recomm

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-ending its passage.

The report was received and Senate

SB 305 Bill No 305 "An act for the relief of William P Haynes, George W Dobson, John Cook, Thomas B Trigg, William N Stricklin, Frank M Thompson and Jacob B Powell as sureties on the bond of Floyd C Wood late Sheriff and Collector of Lafayette County Arkansas." was then read the third time and placed on its passage.

The question then being put Shall the Bill pass? it was decided in the affirmative. Ayes 20, Nays 4 absent and not voting 7.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Henderson Hicks House Johnson Norman Pindall Reagan Sims Sullivan Toomer Turner Walker Warren Wheeler and Mr President 20

The Senators voting in the negative were Messrs Blackwell, Loughborough McCallum and Williams 4

Those Senators absent and not voting were Messrs Black Forney Grey Haycock Jones Thower and Tobey 7

So The Bill Passed

On motion of Mr Sims the Special order for this hour was then further postponed and

SB 312 Mr Thower by unanimous consent introduced a Bill of which previous notice had not been given entitled. "A Bill to be entitled an act to provide for the publication of the organic law of the State

Which was read the first time.

On motion of Mr Sims the rules were then suspended and the Bill was read the second time.

Mr McCallum then offered the following amendment to the Bill by adding immediately after the words "of 1874" the following to wit "and the proclamation of the Election Supervisors declaring the same adopted".

The amendment was read the first time and under a suspension of the rules was read the second time and adopted.

The Bill as thus amended was then on motion of Mr Sims referred to the Committee on the Judiciary

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report,
Mr President

The Committee on Enrollments have
SB 193 examined Senate Bill No 193 an act to be entitled an act for the relief of laborers and Mechanics and have instructed me to report the same correctly enrolled.

~~The report was received~~

The Special Order being Senate Bill No 310 "An
SB 310 act to change the name of Clayton County to Clay" was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative. Ayes 23. Nays none absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Hart Henderson Hicks House Johnson Loughborough McCallum Norman Reagan Sims Sullivan Tanner Turner Walker Warren Wheeler Williams and Mr President, 23

Those Senators absent and not voting were Messrs Bluck Forney Grey Haycock Jones Pindall Thower and Tobey 8

So The Bill Passed

Mr Hart Chairman of the Select Committee composed of Messrs Hart and Sullivan under the order of business submitted the following report
Mr President

Your Special Committee to whom was referred petitions of Physicians from Hempstead and Crawford Counties and also Senate Bill No
SB 127 127 have had the same under consideration and beg leave to offer the following amendments. In section 1 Strike out the figures "1875" and insert "1876"

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also in Section 1 strike out the words "of good standing" occurring after the words "Medical College" and insert the word "Chartered" before the words "Medical College." Also in Section 2 strike out the words "by and with the advice and consent of the Senate" and when thus amended your Committee recommend that the Bill do pass. Also in Section 13 change the figures "1875" to "1876."

The report was received and the amendments offered by the Committee were read the first time and on motion of Mr Brown the rules were suspended—the amendments were read a second time and adopted.

Mr Pindall then moved to further amend the Bill as follows. In Section one strike out the words "five years" and to insert the words "three years" in lieu thereof.

The amendment was read the first time and under a suspension of the rules was read a second time and adopted.

On motion of Mr Hart the Bill as thus amended was ordered engrossed and made the special order for a third reading on tomorrow at 12 O'Clock

On motion of Mr Loughborough the Special order for Eleven O'Clock and thirty minutes, being Senate Bill No 287 "An act to appropriate money to finish the Arkansas Industrial University building and for other purposes" was then taken up and the question then being shall the Bill pass? it was decided in the affirmative, ayes 14. Nays 9 absent and not voting 8.

SB 287

Those Senators voting in the affirmative were Messrs East Fletcher Hart Henderson Horse Johnson Loughborough Pindall Sims Tooner Turner Walker Wheeler and Mr President 14

Those Senators voting in the negative were Messrs Blackwell Brown Campbell Grey Hicks McCallum Norman Reagan and Williams 9.

The Senators absent and not voting were Messrs

Black Forney Haycock Jones Sullivan Thower Tobey and Warren 8

So The Bill Passed

Mr Pindall was called to the Chair

SSB 161

Mr Loughborough Chairman of the Select Committee to whom was refered Senate Substitute Bill No 161 submitted the following report.

Mr President

The Select Committee to whom was refered Senate Substitute Bill No 161, have the honor to report that they have had the same under consideration and the majority of the Committee instruct me to return the Bill with a recommendation that it be indefinitely postponed.

The report of the Committee was received

Mr House from the Select Committee to whom was referred Senate Substitute Bill No 161 submitted the following report from the minority of that Committee. Mr President.

The undersigned a minority of your Special Committee to whom was refered Senate Substitute Bill for House Bill No 161 Entitled "An act to prevent unjust discrimination and excessive charges by the different Railroads of this State for transporting freight and passengers" beg leave to submit the following minority report.

SSB 161

First - In line four of the printed Bill strike out the words "per mile". Second In line twelve in Section two strike out the words "five hundred" and "five thousand" and insert in lieu thereof the words "one hundred" and "one thousand" respectively. Third. In Section three, line four strike out the word "five" and insert the word "one". Fourth. Strike out all of Section three after the word "thereof" in line Seven. Fifth, Strike out all of Section four, also the two last words in the title; and with these amendments the undersigned respectfully recommend the passage of the Bill. They do so, first - because the bill after being amended as above set forth, will conform in

Friday Nov 26th 1875

letter and spirit to the Constitutional provision relating to this subject, and will afford all persons who may feel themselves aggrieved a remedy by which their wrongs may be corrected.

Section 3 of Article 17 of the Constitution reads as follows, to wit; "All individuals, associations and corporations shall have equal right to have persons and property transported over Railroads, Canals and turnpikes; and no undue or unreasonable discrimination shall be made in charges for, or in facilities for transportation of freight or passengers within the State, or coming from, or going to any other State. Persons and property transported over any Railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class, in the same direction, to any more distant station. But excursion and commutation tickets may be issued at special rates."

Section 6 of the same article reads as follows, to wit; "No discrimination in charges, or facilities for transportation, shall be made between transportation companies and individuals or in favor of either by abatement, drawback or otherwise; and no Railroad or Canal Company, or any lessee, manager, or employee thereof shall make any preferences in furnishing cars or motive power."

Now it will be seen at once that the object object of this bill is only to carry into practical operation and effect the Constitutional provision.

There is nothing in the Bill but what is fully sustained in the Constitution, then the only question in our opinion, is whether the Legislature is willing to pass such laws as will conform to and carry into practical operation the plain provisions of the Constitution. We must either do this or ignore the Constitution, and say that its framers knew nothing of the wants and necessities of the people, and certainly we are not prepared to do this. Second, because the effect of this bill will only be to prevent unjust discriminations in the transportation of freight over the different Railroads of the State; and the only restriction it imposes is that freight shall be delivered at any station at charges not to exceed the charges for similar freight of-

the same class in the same direction to any more distant station. It seems to us this is just and right between the Railroad Companies and the people who patronize them, and it certainly will not operate hard upon the Railroads of the State, because they are all brought under the same restriction.

In recommending the passage of this bill, we do so not with any spirit of opposition or revenge towards the rail roads, but we do so, feeling and appreciating the relationship that should exist between the said roads and those who patronize them.

All we want is honest square dealing, the people demand this, this is all the Bill proposes.

J W House
C E Tobey

Pending discussion upon the adoption of the minority report.

Upon motion of Mr Warren its further consideration was postponed until ten O'clock and thirty minutes on to morrow.

On motion of Mr Warren the Senate then adjourned.

Bradley Rusch
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Saturday Novr 27th 1875
10 o'Clock A.M.

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names. Mr President Bunce and Messrs Black Blackwell Brown Campbell Fletcher Hart Henderson Hick House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler and Williams 24

Those Senators absent at the call of the roll were Messrs East Forney Grey Haycock Johnson Jones and Thower

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Mr Pindall asked and obtained leave of absence for the day for Mr Haycock.

Mr Grey appeared within the bar of the Senate and answered to his name

NR 245 Mr Wheeler by unanimous consent called up House Bill No 245 "An act to prohibit the sale of Alcoholic Spirits, bitters or vinous liquors within a distance of one half mile of Hickory Grove School House Sebastian County." which was read the third time and placed on its passage.

The question then being shall the bill pass? it was decided in the affirmative. Ayes 22. Nays 2. Absent and not voting 7.

Those Senators voting in the affirmative were Messrs Black Black-

well Brown Campbell Fletcher Grey Hart Henderson House Loughborough McCallum Norman Reagan Sims Sullivan Tooner Turner Walker Warren Wheeler Williams and Mr President. 22

The Senators voting in the negative were Messrs Hicks and Tobey 2

Those Senators absent and not voting were Messrs East Forney Haycock Johnson Jones Pindall and Thurver 7

So The Bill Passed

A Message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Novr 27th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H R 112. "An act to define the boundaries of Pulaski and other Counties." Also H R No 262 "An act to fix the time of holding the Circuit Courts in the Several Counties of the 7th Judicial Circuit in the State of Arkansas." Also the adoption by the House of Senate Joint Resolution No 43, relating to placing Deaf & Dumb pupils into the Blind Asylum and converting the Deaf and Dumb Building into a Lunatic Asylum.

H R 112

H R 262

S J R 43

Chas C Reid Jr
1st Assistant Clerk

Mr Brown Chairman of the Committee on Engrossed Bills Submitted the following report.

Mr President

Your Committee to whom was referred Senate Substitute for Senate Bills Nos 70 and 98, it being "an act to regulate the practice of medicine in this State" report the same Correctly engrossed as amended.

S Sub for SB 70 & 98

The report was received.

On motion the regular order of business was suspended and then Mr Hart presented a petition of Citizens of Boone County which without being read was referred to the Committee on County and County Lines.

Saturday Novr 27th 1875

Mr Loughborough by unanimous consent introduced a Bill of which previous notice had not been given entitled "An act to Extend the Jurisdiction of Police
SB 313 Judges" Which was read the first time.

On motion of Mr Loughborough the rules were then suspended - the Bill was read the second time and referred to the Committee on the Judiciary

Mr Warren by unanimous consent introduced a Bill of which previous notice had not been given entitled "An act ~~amendatory of an act approved March 6th~~
SB 314 1875 taxing non resident trappers"
Which was read the first time.

On motion of Mr Warren the rules were then suspended the Bill was read the second time and referred to a Select Committee of three, and the President appointed Messrs Warren Pindall and Henderson as such Committee.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report.
Mr President
SB 193 Senate Bill No 193 has been signed by the Speaker of the House, President of the Senate and delivered to his Excellency the Governor for his Consideration. The Committee on
SB 136 Enrollments have Examined Senate Bill No 136 "An act regulating proceedings in Cases of Bastardy, and
SJR 42 Senate Joint Resolution No 42 relating to the propagation of fish, and have instructed me to report the same Correctly enrolled.
The report was received

The Special order for this hour being the consideration of the adoption of the report of the minority
SSub for HR 161 of the Committee to whom was referred Senate Substitute for House Bill No 161 "An act to prevent unjust discrimination in charges for freight and to protect persons travelling on Railroads" was then taken up.

A Message from the Governor by Genl C H Wood his private Secretary who appeared within the

bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Nov 26th 1875

To The President of the Senate
of Arkansas and the members thereof.

Gentlemen

I have approved and

SB 258 signed Senate Bill No 258 "An act requiring all State and County Officers to procure their commissions and

SB 279 for other purposes". Also Senate Bill No 279 "An act to amend Section one of an act entitled an act ~~to be~~ entitled an act to change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the Second Judicial Circuit to hold a term of the Circuit Court in each of the Counties of Clayton Greene and Craighead" and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas

Senator Fletcher was called to the Chair

SS for HR 161 The consideration of the Special Order was then resumed and after debate thereon, the question being upon the adoption of the report of the minority of the Committee; the Ayes and Nays were called and the Call was sustained.

Upon the call of the roll the question was decided in the negative Ayes 14. Nays 14. absent and not voting 3.

Those Senators voting in the affirmative were Messrs Black Blackwell, Brown Campbell East Fletcher Henderson Hicks House Pindall Tobey Warren Williams and Mr President 14.

Those Senators voting in the negative were Messrs Grey Hart Johnson Longborough McCallum Norman Reagan Sims Sullivan Thower, Toomer Turner Walker and Wheeler 14.

Saturday Nov 27th 1875

S Sub for HR 161

Those Senators absent and not voting were Mess Forney Haycock and Jones 3

So the Senate refused to adopt the minority report

Mr Loughborough then moved the adoption of the report of the majority of the Committee, upon which the Ayes & Nays were called and the Call was dispensed.

Upon the Call of the roll the question was decided in the affirmative. Ayes 15. Nays 13. absent and not voting 3.

Those Senators voting in the affirmative were Messrs Grey Hart. Johnson Loughborough M Callum Norman Pindall Reagan Sims Sullivan Thower Toomer Turner Walker and Wheeler 15

Those Senators voting in the negative were Messrs Black Blackwell Brown Campbell East Fletcher Henderson Hicks House Tobey Warren Williams and Mr President 13

Those Senators absent and not voting were Messrs Forney Haycock and Jones 3

So the Senate adopted the report of the majority of the Committee to whom was referred Senate Substitute for House Bill No 161. and the Bill was thereby indefinitely postponed.

On motion of Mr Loughborough the Senate then adjourned to ten O'Clock on Monday next.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Monday, Nov 29th 1875

The Senate met pursuant to adjournment at 10 A M

The Secretary called the roll and the following Sen=ators answered to their names, Mr President-Bunch and Messrs Blackwell Brown Campbell East-Fletcher Grey Hart Henderson House Johnson Loughborough M'Callum Norman Pindall Reagan Sims Sullivan Thrower Tobey Turner Walker Warren Wheeler and Williams 25

The following Senators were absent at the call of the roll, Messrs Black Forney Haycock Hicks Jones and Toomer 6.

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of Saturday was then read by the Sec=retary and there being no objection thereto it was approved and signed by the President and Secretary

Mr Warren asked and obtained an extension of the leave of absence of Mr Jones for the remainder of this week.

Mr Pindall asked leave of absence for Mr Black. for this week.

Which was granted

Mr M'Callum asked and obtained leave of absence for one day for Mr Hicks

SB 315 Mr Fletcher by unanimous consent introduced a Bill of which previous notice had been given Entitled "An act to give landlords a lien on the crop grown on the lands rented, for supplies furnished to the tenant to make the crop"

Which was read the first time.

On motion of Mr Fletcher the rules were then suspended. the Bill was read the Second time and referred to the Com=mittee on Agriculture

Monday Nov 29th 1875

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report

Mr President

SB 136 Senate Bill No 136 "An act regulating suits in cases of Bastardy." and Senate Joint Resolution

SJR 42 No 42 in relation to Fish has been signed by the Speaker of the House, President of the Senate and delivered to his Excellency the Governor for his consideration

The report was received

The Special Order laid over on Saturday being Senate

SB 300 Bill No 300 "A Bill for an act to amend an act to regulate the time of holding the Courts in the tenth Judicial District" was then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 23. Nays none absent and not voting 8.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Grey Hart Henderson House Johnson Loughborough McCallum Norman Rindall Sims Sullivan Thrower Turney Walker Warren Wheeler Williams and Mr President 23

Those Senators absent and not voting were Messrs Black Forney Haycock Hicks Jones Reagan Tobey and Toomer 8

So The Bill Passed

SB 248 The next Special Order laid over from Saturday being the amendment of the House to Senate Bill No 248 "An act regulating the time and manner of holding Elections for the determination of the amount of taxes to be levied for School purposes and for ratifying such elections heretofore held during the year 1875" was then taken up and the amendment of the House, in the words following to wit: "Stike from the first section the words "Second Monday in September" and insert in lieu thereof the words "The third Saturday in August". was read the third time, and the question then being shall the amendment be concurred in? it was decided in the affirmative Ayes 21 Nays none absent and not voting 10

Those Senators voting in the affirmative were Messrs Blackwell Campbell Fletcher Grey Hart Henderson House Johnson Loughborough McCallum Norman Pindall Sims Sullivan Thurber Turner Walker Warren Wheeler Williams and Mr President. 21

Those Senators absent and not voting were Messrs Black Brown East Forney Haycock Hicks Jones Reagan Tobey and Toomer 10

So the Senate concurred in the amendment of the House to the Bill

SB 127 Under the order of business Senate Bill No 127 "An act to regulate the practice of Medicine in this State" was taken up and read the third time and placed on its passage.

A Message from the House By assistant Clerk McReid who appeared within the bar of the Senate and read as follows. Hall House of Representatives Nov 29th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage
HR 225 of HR 225 An act establishing a Court of Common Pleas in the Counties therein named". Also HR 261
HR 261 "An act to allow the redemption of forfeited lands". Also concurrence by the House in Senate Joint Resolution No
SJR 29 29 Preamble and resolution in reference to claim of heirs and Widow of P T Crutchfield Deceased". Also the adoption by the House of Senate Substitute to HJR No
HJR 38 38. A joint Resolution to adjourn the Legislature Sine die on the tenth day of December 1875." and herewith respectfully transmit the same for your favorable consideration.

Chas McReid Jr
1st Assistant Clerk

SB 127 The consideration of Senate Bill No 127 was resumed and after debate thereon the question being Shall the Bill pass? it was decided in the affirmative Ayes 15. Nays 10. Absent and not voting 6.

Those Senators voting in the affirmative were Messrs Brown East Fletcher Hart Henderson

Monday Nov. 29th 1875

House Johnson Loughborough Norman Reagan Sims Sullivan Toomer Turner and Wheeler 15

Those Senators voting in the negative were Messrs Blackwell Campbell Grey M'Callum Pindall Tobey Walker Warren Williams and Mr President 10

Those Senators absent and not voting were Messrs Black Forney Haycock Hicks Jones and Thower 6

So The Bill Passed

Mr Warren Chairman of the Select Committee to whom was referred Senate Bill No 314. Submitted the following report. Mr President

Your Special Committee

S B 314 to whom was referred Senate Bill No 314 have had the same under consideration and report the same back with the following amendments and when so amended recommend the passage of the same. Viz; in second line of section 1 after "hunters" insert the words "seiners and netters of fish" and in the fourth line after the word "hunting" "seining or netting of fish". And in section two after the word "hunting" in the third line insert "seining or netting of fish" and in the seventh line of same section, insert after the word "hunt" "seine or net fish". And that where the words "and" appears between "trappers and hunters" and the word "or" between trapping "and hunting" and the word or" between "trap or hunt" be stricken out.

The report was received and the amendments offered by the Committee were read the first time.

On motion of Mr Warren the rules were then suspended the amendments were read the second time and adopted and the Bill as amended was ordered engrossed and made the Special Order for ten O'Clock and thirty minutes on tomorrow.

Mr Norman was called to the Chair

S B 316 Under the order of business Mr Pindall by unanimous consent introduced a Bill of which previous notice

had not been given, Entitled "An act to incorporate the Lake Chicot Levee Company and for other purposes".

SB 316 Which was read the first time. On motion of Mr Pindall the rules were then suspended the Bill was read the second time and it together with the accompanying Notice and Memorial was referred to the Committee on the Judiciary.

SB 317 Mr Thower introduced a Bill of which previous notice had been given Entitled "A Bill for an act to change the lines between the Counties of Nevada and Ouachita in this State"

Which was read the first time and on motion of Mr Sims the rules were suspended and the Bill was read the second time and referred to the Committee on County and County Lines

SB 304 On motion of Mr House Senate Bill No 304 "A Bill for an act to be entitled an act to amend Sections 4. 7. 8. 9 10. 11. 12. 13. 14. 15. 19. 21. 26. 29. 30. 31. and 32 of an act entitled "An act to establish fees" approved February 25th 1875. was taken up and read the second time.

On motion of Mr House the Senate then resolved itself into Committee of the whole in Consideration of Senate Bill No 304. Mr Norman in the Chair.

After some time spent in consideration of the Bill the Committee rose and through its Chairman reported progress and asked leave to sit again

On motion of Mr Fletcher the Hon Thos M Gunter M. C. was invited to a seat within the bar of the Senate.

On motion of Mr Warren the Senate then took a recess until two O'Clock and thirty minutes this afternoon.

After the Recess.

The Senate met at two O'Clock and thirty minutes

Monday 29th Nov 1875

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Blackwell Fletcher Gey Hart House M Callum Norman Puidall Reagan Sims Sullivan Thower Tobey Toomer Warren and Williams 17

The following Senators failed to answer to their names at the call of the roll. Messrs. Black Brown Campbell East Forney Haycock Henderson Hicks Johnson Jones Loughborough Turner Walker and Wheeler. 14

A Quorum present

Mr. Toomer appeared within the bar of the Senate and answered to his name.

Mr House asked for leave of absence for Mr Henderson for two days.

Which was granted

The Senate then again went into Committee of the
SB 304 Whole in Consideration of Senate Bill No 304 Mr Norman in the chair.

After some time spent in consideration of the Bill the Committee rose and through its Chairman reported progress and asked leave to sit again at ten O'clock and thirty minutes on tomorrow.

On motion of Mr Loughborough the regular order of business was then suspended, and House Bill No
HR 112 112 "An act to define the Boundaries of Pulaski and other Counties" was then taken up, and read the first time.

On motion of Mr Loughborough the rules were then suspended - the Bill was read the second time and referred to a select committee of three, and the President appointed Senators Loughborough Sims and Campbell as such Committee.

On motion of Mr M'Callum the regular order of business was then further suspended, and House Bill
HR 262 No 262 "An act to fix the time of holding the Circuit Courts in the Several Counties of the 7th Judicial

Circuit in the State of Arkansas" was taken up and read the first time. On motion of Mr McCallum the rules were then suspended the Bill was read the second time and made the Special Order for a third reading at Eleven O'clock on Wednesday next.

Mr Fletcher moved that the Senate "do now adjourn until nine O'clock tomorrow morning."

Mr Pindall moved as a Substitute for the motion of Mr Fletcher "that the Senate do now adjourn" which motion was adopted and thereupon the Senate adjourned

Bradley Burnett
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Tuesday Nov 30th 1875
10 O'clock A M

The Senate met pursuant to adjournment

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Blackwell Brown Campbell Fletcher Hart Hicks House Johnson Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler and Williams 23

The Senators absent at the Call of the roll were Messrs Black East Forney Grey Haycock Henderson Jones and Thower 8

A Quorum Present

Prayer By the Revd J B McFerrin

The Journal of Yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Mr Sims asked for leave of absence for Mr East for the day. Which was granted

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report

Mr President.

Your Committee to whom

SB 314 was refered Senate Bill No 314 it being an act amendatory of an act approved March 6th 1875 taxing non resident Trappers" report the same correctly engrossed.

The report was received

Mr Hicks by unanimous consent presented a remonstrance of Citizens of Lonoke County which was read and refered to the Select Committee to whom was refered House Bill No 112.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report

Mr President

The committee on Enrollments have examined

SJR 29 =ined Senate Joint Resolution No 29 in reference to the claim of the heirs and Widow of Peter T Crutchfield deceased." Also
SJR Senate Substitute to House Joint Resolution No 38 to adjourn the
HJR 38 Legislature on the tenth day of December and have instructed me to report the said Resolutions Correctly enrolled. Both Resolutions has been signed by the Speaker of the House and President of the Senate and delivered to his Excellency the Governor for his consideration.

The report was received

Mr Johnson by unanimous consent called up Senate Bill
SB 306 No 306 "A Bill for an act to punish persons for obtaining goods, wares and merchandise under false pretenses" which was read the second time and referred to the Committee on the Judiciary.

HR 229 Under the order of business House Bill No 229. "An act to change the name of "Saber County" to the name of "Logan County" was taken up and read the first time.

On motion of Mr Turner the rules were then "dispensed with." the Bill was read the second time and referred to the Committee on the Judiciary.

A Message from the Governor by his private Secretary Genl C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Novr 29th 1875

To the President of the Senate of Arkansas and the members thereof

Gentlemen

I have approved and
SJR 42 signed Senate Joint Resolution No 42. Also Senate
SB 193 Bill No 193. An act to be entitled An act for the relief of laborers and mechanics." Also Senate Bill No 136 "An
SB 136 act regulating proceedings in county courts in cases of bastardy and for other purposes" and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas

Mr Loughborough asked the unanimous consent of the Senate for the select committee of three to whom was ref-
HR 112 -erred House Bill No 112 to sit during the session of the Senate.

Which was granted

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On motion of Mr Walker, the special order for this hour was then temporarily suspended, and on motion of Mr Walker House Bill No 257 "An act to refund moneys to Washington County erroneously collected from the Tax payers of said County" was taken up and read the first time. On motion of Mr Walker the rules were then suspended, the Bill was read the second time and it together with the accompanying memorial was refered to the Committee on Claims.

HR 257

The hour of ten O'Clock and thirty minutes having now arrived, on motion of Mr Wheeler the Senate resolved itself into Committee of the whole in consideration of Senate Bill No 304. Mr Norman in the Chair.

SB 304

After consideration of the Bill, the Committee rose and through its Chairman submitted the following report:
Mr President

The Senate Committee of the whole have had under consideration Senate Bill No 304 "A Bill for an act to amend sundry sections of an act to Establish fees" approved February 25th 1875" and have adopted a number of amendments to said Bill.

The Committee therefore have directed me to report the said Bill back to the Senate with the said amendments, and that when so amended, your Committee recommend the passage of said Bill.

The report was received and the amendments of the Committee of the whole to Senate Bill No 304 as follows, to wit; In line Seven of Section two PB amend by making the line read as follows. "For entering the appearance of each defendant fifteen cents" (15). Amend in line 51 of section two PB by changing the words "for each scire facias seventy five cents" to "for each scire facias fifty cents". Strike out also in same section line 54 PB the following words "for each search for the first year, ten cents", and also strike out line 55 of same section PB containing the words "for each search thereafter, ten cents". Amend in line 56 of same section PB by striking out the words "seventy five cents" and inserting in lieu thereof the words "fifty cents". Amend line 5 of Section three PB by making it read "for entering the appearance of each defendant fifteen cents" (15). Amend line 6 of same section PB by making it read as follows, "For docketing a case at each term, fifteen cents"

SB 304 Amend line 11 in Same section PB by striking out the words "forty cents" and inserting the words "twenty five cents" in lieu thereof. Amend line 8 of Section four PB by striking out the words "fifty cents" and inserting in lieu thereof the words "twenty five cents". Amend line 22 of Same section PB by striking out the words "one dollar" and inserting in lieu thereof the words "fifty cents". Amend line 45 of same section PB by making it read as follows. "For each allowance against the County ten cents". Amend line 46 of Same section PB by making it read as follows. "For each warrant on the Treasury ten cents". Amend line 55 of Same section PB to make it read as follows "For entering judgement Except allowances against the County, twenty cents". Amend by adding after line 57 of Same section PB by adding after the words "For Commissions to take depositions" the words "For entering all appeals except on Assessment Books twenty (20) cents". Amend by adding also the following ~~after line 59 of Same section the~~ words "For every certificate and seal not heretofore provided for, twenty five (25) cents". Amend by adding also the following ~~after line 60 of Same Sec. For the~~ words "For every Subpoena embracing the witnesses demanded and named at the time, twenty five cents". Amend by adding also the following ~~after line 61 of Same section the~~ words "For recording every paper not herein before provided for, for every one hundred words ten (10) cents". Amend by adding also ~~after line 62 of Same section~~ the following words. "For entering on record the appraised value of Estrays, and filing bond and appraisement, fifty (50) cents". Amend by adding after line 67 of Same section PB a new line in the words following, to wit: "Provided that Shows or public exhibitions may have a license for a period of twelve days or less, issued for one license fee". Amend in line 9 Section PB five by striking out the words "five cents" and inserting in lieu thereof the words "ten cents". Amend by striking out line fourteen of Same Section PB, the following words, to wit, "For each appearance ten (10) cents". Amend in line 18 of Same section PB the words "and classification" so that the line as amended will read "For order of allowance and classification, twenty cents (20)". Amend by striking out all of line 19 of Said section PB the following words "For order to Class twenty cents (20)". Amend line 20 of Same section PB by making it read as follows. "For transcribing to abstract docket and indexing, twenty cents". Amend by striking out all of line 21 of Same section PB the words following, to wit; "For indexing

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S.B. 304 each record, ten (10) cents." Amend line 22 of same section PB by making it read as follows, "For entering verdict and judgement except allowances of Claims, twenty (20) cents." Amend by adding after line 36 of section PB five the following, "And for examining and passing upon every annual settlement of Administrators, Executors and Guardians, the Judges of the Probate Court of the Several Counties of this State shall be allowed the sum of two dollars ($2.00) to be collected as other costs." Then by amending Sec 6 PB by commencing as follows, "That section thirteen (13) of said act shall be amended to read as follows." Amend by striking out all of lines 8, 9, 10 and 11 of the printed bill, and inserting in lieu thereof the words following to wit; "The fees above mentioned in this section shall be paid for by the County under the order and direction of the County Court."

Amend by making line fourteen of the same section PB read as follows, "For each copy thereof for every one hundred words counting three figures a word, as aforesaid, ten (10) cents." Amend by striking out lines 34, 35, 36, 37, 38, 39 and 40, being the latter part of section six of the printed Bill.

Amend Section Seven by making line four of the printed Bill read as follows "For recording, indexing and cross indexing every instrument of writing, each one hundred words ten cents." Amend by striking out lines six and seven, being the last lines of the said section

Amend by striking out in Section 8 the entire line 9 of the printed Bill as follows, "for discharging a commitment in civil cases twenty five cents." Amend by inserting in same section a new line as follows, "For executing a certificate of purchase for real estate under execution, fifty cents." Amend by making line 25 of the printed Bill read as follows, "For summoning a petit jury regular panel selected by jury commissioners, ten dollars." Amend by making line 34 of same section read as follows, "For executing each death warrant, twenty five dollars." Amend same section by making line 43 of (P.B.) read as follows, "For commission for the collection of taxes five per cent for the first twenty thousand dollars, and three per cent for all sums above that amount, to be paid in kind."

Amend by adding after same line of same section the following, "And for collecting and paying over all fines, penalties and forfeitures, three per cent."

S.B 304 Amend in section eleven by making line 3 of the (P.B) read as follows. "For serving a warrant in a criminal or civil case. for each defendant Seventy five cents"

Amend same section by adding after line 9 (P.B) the following. "And for every return of non est on writ original or judicial, or subpoena. ten cents." Also "for return of nulla bona ten cents." Amend section twelve by making line 5 of (P.B) read as follows. "For every summons in civil or criminal cases fifty cents." Amend same section by adding after line 8 (P.B) the following. "For entering each order of continuance for each cause twenty five cents." amend line 9 of same section to read as follows, "for each execution fifty cents." Also after line 9 add the following. "For affidavit to procure a warrant in a criminal case twenty five cents." In same section make line 18 read as follows "For all services in relation to estrays one dollar and fifty cents." also after line 21 of the same section add the following line. "For filing and preserving all papers in each case, fifteen cents." In same section make line 23 (P.B) read as follows. "For furnishing transcripts in cases of change of venue, to be paid by the applicant, one dollar." Amend by adding a new section to the Bill to be numbered section thirteen (13) to read as follows.

"Amend section 36 so as to read "in all cases of felony "where complaint shall be made before any Justice of the Peace "or other officer and the party against whom such complaint shall be made shall upon a hearing thereof be "discharged, committed to jail, or bound over for his appearance at the Circuit Court, the Justice or other officer or "person to whom any fees may be due shall make out "a fee bill for his cost allowed by law which may have "accrued in said case and shall present to the County Court an itemized account duly sworn to, which "shall be examined as provided in the following section "and if found correct, audited and allowed by the County Court. Amend also by adding a new section to the Bill to be numbered section (14) fourteen, to read as follows. That the Commissioner of State Lands shall collect and pay the same into the Treasury, five dollars for each donation deed.

Also amend the title of the Bill by striking out the figures 8. 10, 14. 21, and the word "and" and insert-

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S.B 304 after the figure "32" the word and also the figure "36".

On motion of Mr Norman the amendments of the committee of the whole to the Bill were then read the first time.

Mr Pindall then moved to amend in line 6 of section two of the printed Bill by striking out the words "for docketing each cause ten cents" and inserting in lieu thereof the words "for docketing a cause each term ten cents."

Which amendment was read the first time.

On motion of Mr House the rules were then suspended and the amendments to the bill were read the second time and adopted.

Mr Norman then moved to amend section fourteen of this Bill by adding "and this fee shall embrace all fees for the execution of donation deeds."

And also to add a new Section to the Bill to be numbered Section 15 to read as follows. "That this act shall take effect and be of force from and after its passage."

Which amendments were read the first time and on motion of Mr Norman the rules were then suspended the amendments were read the second time and adopted.

On motion of Mr House the Bill as amended was ordered engrossed and made the Special order for a third reading at ten O'clock and thirty minutes on Thursday next.

The regular order of business was then suspended and Mr Thrower by unanimous consent introduced a Bill of which previous notice had

S.B 318 not been given entitled "An act to amend Section 55 of the act fixing the regular terms of holding the County Courts in this State" and for fixing the Salaries of County Judges and per diem pay of associate Justices approved February 5th 1875."

Which was read the first time.

On motion of Mr Thrower the rules were then suspended the Bill was read the second time and made the Special Order for tomorrow at Eleven O'Clock.

A message from the House By C C Reid their assistant Clerk who appeared within the bar of the Senate and read as follows. Hall House of Representatives Nov 30th 1875

Mr President. I am instructed by the House

of Representatives to inform your honorable body of the
SJM 11 passage by the House of Senate Memorial No 11 Memor-
ializing Congress to make a Survey of the upper Arkansas
River." Also the passage by the House of House Bill No
HR 296 296 "an act to legalize and make valid certain proceed-
-ings of the County and Probate Courts of Craighead Coun-
-ty" and herewith respectfully transmit the same for your
favorable Consideration.

Chas C Reid Jr
1st Asst Clerk

On motion of Mr Fletcher the Senate then took a recess until half past two O'Clock this afternoon.

After The Recess

The Senate met at two O'Clock and thirty minutes P.M.

The Secretary called the roll and the following Sen-
-ators answered to their names. Mr President Bunch and Messrs Blackwell. Brown. Grey Hart House Johnson McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker War-
-ren and Williams 19

Those Senators absent at the Call of the roll were Messrs Black. Campbell East Fletcher Forney Haycock Henderson Hicks Jones Loughborough Thrower and Wheeler 12

A Quorum Present

Mr Johnson moved that the President and Secret-
-ary be authorized to issue a certificate of pay to the Pages in accordance with Senate Resolution adopted prior to the adjourned Session of the General Assembly.

Mr Pindall then moved to refer the motion of Senator Johnson to the Committee on the Judiciary

Which was agreed to

The Special order for 10 O'Clock and thirty minutes
S.B 314 this a.m. being Senate Bill No 314 "An act amend-
-atory of an act approved March 6th 1875 taxing non resident Trappers" was then taken up and the

Tuesday Novr 30th 1875

S.B 314 Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 21. Nays 1 absent and not voting 9. 9.

Those Senators voting in the affirmative were Messrs Blackwell Brown Fletcher Grey Hart Hicks Howe Johnson McCallum Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 21

The Senator voting in the Negative was Mr Pindall 1

Those Senators absent and not voting were Messrs Black Campbell East Forney Haycock Henderson Jones Loughborough and Thower 9

So The Bill Passed

H.R 57 Under the order of business House Bill No 57 "An act to encourage sheep raising in this State" was then taken up and read the first time.

On motion of Mr Norman the rules were then suspended and the Bill was read the second time, and on motion of Mr Fletcher was referred to the Committee on agriculture.

Mr Campbell appeared within the bar of the Senate and answered to his name.

The order of business was then suspended and by unanimous consent Mr Turner Chairman of the Judiciary Committee submitted the following report:

Mr President

The Committee on the Judiciary to whom was

SB 311 referred Senate Bill No 311 entitled "An act to amend section eleven hundred and one of Gantts Digest" have had the same under consideration and ask leave to report the Bill back to the Senate and your committee do recommend its passage.

The report was received and Senate Bill No 311 was then read the third time and placed on its passage. The question then

being shall the Bill pass? it was decided in the affirmative Ayes 24. Nays none. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell Fletcher Grey Hart Hicks House Johnson Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 24

The Senators absent and not voting were Messrs Black East Forney Haycock Henderson Jones and Thower 7.

So The Bill Passed

Mr Turner Chairman of the Judiciary Committee also submitted the following report

Mr President

SB 312 The Committee on the Judiciary to whom was referred Senate Bill No 312 intitled "An act to provide for the publication of the organic Law of the State" have had the same under consideration and ask leave to report the Bill back to the Senate with the following amendment, that is to say, erase the words "disposed of" in the 7th line of the first section and insert in lieu thereof the word "distributed" and after the word "as" in the 8th line of said section erase the words "may be provided by law" and insert the words "now provided for the distribution of the acts of the General Assembly" and as thus amended your Committee do recommend the passage of the Bill.

The report was received and the amendments offered by the Committee were read the first time.

On motion of Mr Turner the rules were then suspended, the amendments were read the second time and adopted and the Bill as amended was ordered engrossed and made the special order for a third reading at Eleven and a half O'Clock on tomorrow

Mr Turner chairman of the Judiciary committee also submitted the following report.

Mr President. The Committee on the Judiciary

Tuesday Novr. 30th 1875

S B 290

to whom was refered Senate Bill No. 290, entitled "An act to suspend officers &c, and for other purposes" have had the same under consideration and ask leave to report the bill back, with the accompanying Substitute therefor, and your Committee do recommend the passage of the Substitute in lieu of the original bill.

S Sub for S B 290

The report of the committee was received and the Substitute Bill, entitled "An act to be entitled an act to suspend from office any County or Township officer in this State, whenever their shall be filed in the office of the clerk of the Circuit Court of the County wherein such officer may reside, an information, presentment or indictment, and for other purposes" was then read the first time—

Mr Turner then moved the rules be suspended and the Substitute bill read the second time, which motion prevailed and the Bill was read the second time. and adopted, and made the special order for to morrow at 10½ o'clock.

Mr Turner Chairman of the Judiciary committee also submitted the following report.

Mr President—

HR 174

The Committee on the Judiciary to whom was refered House Bill No 174 entitled an act to amend Section 5037. and to repeal Section 5046 of Gantts Digest—" have had the same under consideration and ask leave to report the same back to the Senate and your Committee do recommend the passage of the Bill.

The report was received and House Bill No 174 was then read the third time and placed on its passage. The question then being Shall the Bill pass? it was decided in the affirmative Ayes 16. Nays 8. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Fletcher Hart House McCallum Norman Reagan Sims Sullivan Thrower Tobey Turner Walker Warren Wheeler and Mr President 16

The Senators voting in the negative were Messrs Brown Campbell Grey Hicks Johnson Pinckall Toomer and Williams 8.

The Senators absent and not voting were Messrs East Forney, Haycock Henderson Jones Loughborough and Black 7.

So The Bill Passed

Mr Turner Chairman of the Judiciary Committee also submitted the following report.

Mr President

SB 299 The Committee on the Judiciary to whom was referred Senate Bill No 299 entitled "An act to Establish Separate Courts in the County of Dell" have had the same under consideration and ask leave to report the Bill back to the Senate and a Majority of the Committee do recommend its passage.

The report was received

Mr Toomer then moved to amend the Bill by inserting the following new Section after the Section in the Bill in regard to the time of holding the Probate Court as follows, to wit; "Section — That until otherwise provided for by law the terms of the Circuit Court in said Dardanelle District shall be begun and holden on the Sixteenth Monday after the 4th Monday in February and August, and shall continue until the business of such Court is disposed of"

Which amendment was read the first time; On Motion of Mr Toomer the rules were then suspended and the amendment was read the second time and adopted, And the Bill as amended was then ordered engrossed, and made the Special order for a third reading at 10½ o'clock on Thursday next.

Mr Turner chairman of the Judiciary Committee also submitted the following report

Mr President;

SB 269 The Committee on the Judiciary to whom was referred House Bill No. 269

entitled "An act to prevent the introduction of paupers, idiots and lunatics into this State" have had the same under consideration and ask leave to report the Bill back to the Senate with the recommendation that it do not pass.

HR 269 The report was received and adopted,
HB 269 and House Bill No. 269, was thereby rejected.

Mr Pindall acting chairman of the Committee on State Lands by unanimous consent, submitted the following report.

Mr. President.

SB 307 Your committee to whom was referred Senate Bill No. 307, have had the same under consideration, and direct me to report the same back with recommendation that it do pass.

The report was received and Senate Bill No. 307. entitled. "An act amendatory of Existing Laws Regulating the Sale of the Lands of the State" was then read the third time and placed on its final passage. The question then being shall the Bill pass? it was decided in the affirmative: Ayes 21, Nays 2. absent and not voting 8.

Those Senators voting in the affirmative were, Messrs. Blackwell, Brown, Campbell Hart, Hicks, Loughborough, McCallum, Norman Pindall, Reagan, Sims, Sullivan, Thrower, Tobey, Toomer, Turner, Walker, Warren, Wheeler, Williams and Mr President — 21.

Those Senators voting in the negative were, Messrs. Fletcher and Grey.

Those Senators absent and not voting were, Messrs. Black, East, Forney Haycock, Henderson, House, Johnson, & Jones, 8. So The Bill Passed

Mr Loughborough chairman of the Select Committee to whom was referred House
HR 112 Bill No. 112. submitted the following report —

Mr President — The select committee to

HR 112 Whom was referred House Bill No 112, together with a remonstrance have the honor to report that they have had the same under consideration, And herewith return the same unanimously recommending that the Bill do pass.

The report was received -

Mr Pindall moved to adjourn, but withdrew the same by request.

Mr Thrower then by unanimous consent introduced a Bill, of which previous notice had not been given, entitled. "An act to amend Section 4066 of Gantts Digest, concerning Mechanics Liens and for other purposes"

SB 319

Which was read the first time, On motion of Mr Thrower the rules were then suspended and the Bill was read the second time, and referred to the committee on the Judiciary.

Mr Pindall then renewed his motion to adjourn,

Which was adopted, and the Senate adjourned until 10 clock to morrow Morning.

Bradley Binnie
President of the Senate

Thomas W. Newton
Secretary

Journal of The Senate
Wednesday December 1st 1875

The Senate met pursuant to adjournment at ten O'Clock A M

The roll was called by the Secretary and the following Senators answered to their names. Mr President Bunch and Messrs Blackwell Brown Campbell Fletcher Grey Hart Hicks Johnson Longsborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler and Williams 23

The following Senators were absent at the Call of the roll Messrs Black East Forney Haycock Henderson House Jones and Thower 8

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and Signed by the President and Secretary

Senators East and House appeared within the bar of the Senate and answered to their names.

A Message from the House by its assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Nov 30th 1875.

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage
SB 74 by the House of Senate Bill No 74. "An act to maintain a System of free Common Schools for the State of Arkansas" with the following amendments. In Section 1. Strike out in lines 13 and 14 the words "or from fines, penalties or forfeitures" and add to the end of the Section the words "Except the proceeds arising from the sale or lease of the 16th Sections." In Section 6. add to the section the words "or State of Arkansas". In section 13 Strike out all after word "Elected" in line 5 of printed Bill. In Section 24 Strike out in the first and second lines the

SB 74 words "third Monday in April." and substitute "first Monday in July" and in the second and third lines strike out "third Monday in October" and substitute "first Monday in January."

In Section 30 strike out in line eight the word "this" and substitute the words "the provisions of this section".

In section 32 strike out all of the first part of the section to the word "at" in line six and substitute "that the per capita tax levied by the general revenue laws of the state, shall be collected by the county collector." In section 33 strike out in line thirteen, the word "national" and substitute the word "natural". In section 38 strike out in lines three and four, the words "two thousand" and substitute the words "eighteen hundred" and in lines eleven and twelve, strike out the words "five hundred" and substitute the words "two hundred and fifty." In section 39 strike out in lines seven and eight, the words "to be affected thereby" and substitute the words "residing thereon".

In section 41, strike out in line eleven the word "trustees" and substitute the word "directors." In section 44 strike out in line nineteen the word "his" and substitute the word "their." also in line twenty two, strike out the word "his" and substitute the word "their".

In section 49 in line 46 insert "and insane" after the word "blind." In section 51 strike out the whole section. In section 53 strike out in the second and third lines the words "on or before the fourth day of May 1875." and substitute the words "immediately after the County Court shall have appointed the County Examiner." In section 55 strike out "first Saturday" and insert "third Saturday". In section 57 insert in line three, the word "annual" between the words "in" and "district." also in the first clause strike out the words "or moderator." also in fourth clause, add the words "who shall be able to read and write"; also, in the twelfth line of the seventh clause, strike out the words "which shall be done by ballot"; also add to the seventh clause the following amendments: "The annual district election shall be held by the school directors, as judges, who shall have power to appoint two clerks, and if any of the directors should not attend, the assembled voters may choose judges in the place of those not attending, and the judges and clerks shall take the oath prescribed in the general election law. The ballot of the voter shall, in addition to the name of the persons voted for as directors, have

SB 74 written or printed on it, the words "for tax" or "against tax", and also "the amount of the voter desires levied." When the polls are closed, the judges shall proceed to count the votes, ascertain the result, and make return thereof to the County Court showing the number of votes cast for each person voted for, for school director; also, the number cast for and against tax; and the number of votes cast for each amount or rate of tax voted for; such return, together with the ballots, shall be sealed up and delivered by one of the judges to the County clerk, at least ten days before the meeting of the County Court for levying taxes. The County Court, at its said meeting for levying taxes, shall open the return and ascertain whether a majority of the votes cast be for tax, and if a tax has been voted, then the Court shall determine the amount of taxes voted, by taking the largest amount or rate of taxation voted for by a majority of the voters, which shall be levied and collected of the district so voting; and if no rate shall have received such majority, then all the votes cast for the highest rate shall be counted for the next highest, and so on, till some rate voted shall receive a majority of all the votes cast. In other respects the election shall be held according to the general election law." Also, in the eighth clause, strike out all after the word "time", in the third line. In section 58 strike out "first Saturday" and insert "third Saturday". In section 59 strike out "twenty five" and substitute the word "ten". In section 60 strike out in line four the word "fifty" and substitute "twenty five". In section 61 add to the section the following: "The Trustees of the several school districts in each County in the State shall hold office and perform the duties required of Boards of Districts in this act, until their successors are elected and qualified in regular manner, according to the provisions of this act." The said Board shall make the provisions for establishing separate schools for white and colored children and youths and shall adopt such other measures as they may judge expedient for carrying the free school system into effectual and uniform operation throughout the State and providing as nearly as possible for the education of every youth. They shall at each annual meeting confer with reference to the school affairs of each County separately.

Strike out all of section 63.

In section 74 strike out of line eleven the words "or any special". In section 75 insert in line forty four the

SB 74 words "and insane" after the word "blind." In section 78 strike out all after the word "term" in line seven, to the word "they" in line fourteen, and add to the section the following: "The County Court shall have power, upon the petition of any person residing in a particular School district, to transfer the Children or wards of such person for educational purposes to an adjoining district, and shall at once notify the County examiner and the directors of the district to which such person is transferred, and also the directors of the district in which he resides, of such transfer. The directors of the district to which such children have been transferred, at the time of taking the enumeration, shall include such children in the district to which they have been transferred, and they shall not be enumerated in the district in which they reside. The District School tax of such person shall be added to the School revenues of the district to which he has been transferred, and shall not be included in the school revenues of the district wherein he remains."

Add to section 89 the words, "Provided that nothing herein contained shall be construed to interfere with the organization of single (or Special) school Districts as constituted by sections 5515 to 5537 inclusive of Gantts Digest, the same being for the better regulation of schools in Cities and Towns." and herewith respectfully return the same.

Chas L Reid Jr
1st Assistant Clerk

A Message from the Governor by his private Secretary General C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Nov 30th 1875

To the Hon President of the Senate of Arkansas and the members thereof. Gentlemen

I have approved and signed Senate Substitute to House of Representatives Joint Resolution No 38. Also Senate Joint Resolution No 29 and I herewith return the same

S Sub for H J R 38

S J R 29

Very Respectfully
A H Garland
Governor of Arkansas

The Special order for ten O'clock and thirty minutes

SB 290 this day, being Senate Bill No 290 "An act to suspend from office any County or Township Officer in this State whenever there shall be filed in the Office of the Clerk of the Circuit Court of the County wherein such Officer may reside an information, presentment, or indictment, and for other purposes" was then taken up and on motion of Mr Turner was read the third time and placed on its final passage?

The question then being shall the Bill pass? it was decided in the affirmative, Ayes 23, Nays 2, absent and not voting 6.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher Hart Hick, House Johnson Loughborough M'Callum Norman Reagan Sims Sullivan Thower Tobey Toomer Turner Walker Wheeler Williams and Mr President 23

The Senators voting in the negative were Messrs Grey and Pindall 2

Those Senators absent and not voting were Messrs Black Forney Haycock Henderson Jones and Warren 6

So The Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report:

Mr President

SB 312 Your Committee to whom was referred Senate Bill No 312 it being "an act to be entitled an act to provide for the publication of the Organic law of the State" report the same correctly engrossed, as amended.

The report was received

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report:

Mr President

SB 248 The Committee on Enrollments have examined Senate Bill No 248 being an act to regulate the manner of holding elections to determine the amount of taxes to be levied for School purposes and for other purposes"

SJM 11 also Senate Memorial to Congress to make a survey of the upper Arkansas River and have instructed me to report both Bill and Memorial correctly enrolled. Said Bill and Memorial has been signed by the Speaker

of the House. President of the Senate, and delivered to his Excellency the Governor for his consideration

The report was received

On motion of Mr Pindall the amendments of the House to
SB 74 Senate Bill No 74 "An act to maintain a system of free Schools for the State of Arkansas," were then read the first time.

On motion of Mr House the rules were then suspended and the amendments were read the second time, and the Bill and amendments were laid over under the rule.

Under the order of business House Bill No
HR 261 261 "A Bill for an act entitled an act to allow redemption of forfeited lands." was taken up and read the first time.

On motion of Mr Fletcher the rules were then suspended and the Bill was read the second time and referred to the Committee on State Lands.

The Special Order for this hour being House Bill No
SHR 262 262 "An act to fix the time of holding the Circuit Courts in the Several Counties of the Seventh Judicial Circuit in the State of Arkansas" was then taken up and the Bill was read the third time and placed on its final passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 18. Nays none. absent and not voting 13.

Those Senators voting in the affirmative were Messrs Blackwell Campbell East Fletcher Grey Hart Hicks House Loughborough McCallum Pindall Reagan Sims Thrower Turner Wheeler Williams and Mr President 18

Those Senators absent and not voting were Messrs Black Brown Forney Haycock Henderson Johnson Jones Norman Sullivan Tobey Toomer Walker and Warren 13

So The Bill Passed

SB 318 The next Special Order being Senate Bill No 318 "An act to amend Section 50 of the act fixing the regular term of holding the County Courts in this State

and for fixing the salaries of the County Judges and per diem pay of Associate Justices' Approved February 5th 1875." was then taken up and the Bill was read the third time and placed on its final passage.

The question then being put shall the Bill pass? it was decided in the affirmative. Ayes 21. Nays none. absent and not voting 10.

Those Senators voting in the affirmative were Messrs Campbell East Fletcher Grey Hart Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thower Tobey Turner Walker Wheeler Williams and Mr President 21

Those Senators absent and not voting were Messrs Black Blackwell Brown Forney Haycock Henderson Johnson Jones Toomer and Warren. 10

So The Bill Passed

On motion of Mr East the regular order of business was then suspended and Mr East by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to be entitled an act to legalize the levying of Taxes".

SB 320

Which was read the first time. and on motion of Mr East the rules were then suspended and the Bill was read the second time.

Mr East then moved to amend the Bill "by striking out the preamble thereto."

The amendment was read the first time and under a suspension of the rules was read the second time and adopted.

On motion of Mr East the Bill as thus amended was ordered engrossed and made the special order for Eleven O'Clock on to-morrow.

Mr Campbell by unanimous consent introduced a Bill of which previous notice had not been given, entitled "A Bill to appropriate five hundred dollars to the Ladies Benevolent association of Little Rock".

SB 321

Which was read the first time. On motion of Mr Campbell the rules were then suspended and the Bill was read the

second time and made the Special Order for Eleven O'Clock on Saturday next.

A Message from the House By its assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows. Hall House of Representatives December 1st 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the adoption by the House of Senate amendments to HR No 239. "An act to authorize Cities of the first and Second Class to levy a tax of one hundred dollars on Auctioneers."

HR 239

First, Section one fourth line strike out the word "Shall" and insert in lieu thereof the word "May".

Second. Section one fifth line after the words "tax of" insert the words "not less than five dollars nor more than" and that the words "not exceed" as written in pencil between the fourth and fifth lines be stricken out.

Third, Section two third line substitute the word "are" for "is". To amend the title of the Bill insert the words "and Incorporated Towns" after the word "Class" in the third line, and insert the words "of not less than five dollars or more than" after the word "of" in the fourth line.

Very Respectfully
Chas C Reid Jr
1st asst Clerk

Mr Tobey by unanimous consent introduced the following Resolution. Resolved. That the President of the Senate is hereby authorized to certify to the accounts of members, Secretaries and other Officers and Employees of the Senate up to the 10th of December 1875 the time fixed for final adjournment.

The Resolution was read the first time and adopted.

HR 268

Under the regular order of business House Bill No 268 "An act to provide for the printing and Sale of the Supreme Court Reports" was then taken up and read the first time.

On motion of Mr McCallum the rules were then suspended and the Bill was read the Second time and referred to the Committee on the Judiciary.

Wednesday December 1st 1875

S B 112

On motion of Mr Loughborough the regular order of business was then suspended and House Bill No 112 "An act to define the boundaries of Pulaski and other Counties" was taken up.

Mr Hicks then moved to amend the Bill by striking out the first clause of section two thereof.

Which was read the first time.

Pending discussion of the Bill the Special order laid over this morning (being Senate Bill No 312) was call=ed up and on motion of Mr Loughborough was fur=ther postponed and the Consideration of House Bill No 112 was resumed.

Pending debate thereon Mr Loughborough moved that the Senate take a recess to two o'clock and thirty minutes this P.M.

Mr Hart offered as a substitute for the motion "that the Senate does now adjourn"

Which was accepted by Mr Loughborough.

Mr Loughborough then gave way to Mr Tobey who moved that the Pages of the Senate be excused for non attendance for the remainder of the day.

Mr Lough=borough then renewed his motion to adjourn which motion prevailed and thereupon the Senate adjourned.

Bradley Rinnah
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Thursday Decr 2nd 1875

The Senate met pursuant to adjournment at ten O'clock A.M.

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Blackwell Brown Campbell Fletcher Grey Hart Haycock Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thrower Tobey Turner Walker Warren Wheeler and Williams 24

Those Senators absent at the call of the Roll were Messrs Black East Forney Henderson Johnson Jones and Toomer. 7.

A Quorum Present

Prayer by Bishop Wightman

The Journal of yesterday was then read by the Secretary and there being no objections thereto it was approved and signed by the President and Secretary.

Senators East, Johnson and Toomer appeared within the bar of the Senate and answered to their names.

On motion of Mr Pindall the regular order of business was then suspended, and the amendments of the House
B 74 to Senate Bill No 74 were taken up and read the third time.

The question then being shall the Senate concur with the amendments to the Bill? it was decided in the affirmative Ayes 24. Nays none. Excused from voting 2. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Blackwell Brown East Fletcher Grey Hart Haycock House Johnson Loughborough Norman Pindall Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President. 24

Those Senators excused from voting were Messrs Hicks and McCallum. 2

Those Senators absent and not voting were Messrs Black Campbell Forney

Thursday December 2nd 1875

Henderson and Jones 5

So The Senate concurred in the amendments of the House to Senate Bill No 74.

On motion of Mr Reagan the regular order of business was then further suspended and the Senate went into
HR 112 consideration of House Bill No 112 An act to define the boundaries of Pulaski and other Counties

Pending discussion of the proposed amendment thereto the Special Order for this hour was on motion of Mr Hicks temporarily postponed.

A Message from the Governor by his private Secretary Genl A H Wood who appeared within the bar of the Senate and read as follows:

State of Arkansas
Executive Office
Little Rock Decr 1st 1875

To the Hon President of the Senate
of Arkansas and the members thereof

Gentlemen

I have approved and
SJM 11 signed Senate Memorial No 11. Also Senate Bill No 248 An act regulating the time and manner of holding Elections
SB 248 for the determination of the amount of taxes to be levied for School purposes and for ratifying such Elections heretofore held during the year one thousand eight hundred and Seventy five and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas.

HR 112 The consideration of the amendment to House Bill No 112 was resumed and after debate thereon, the question being shall the amendment be adopted? it was decided in the negative. Ayes 6. Nays 21. Absent and not voting 4.

The Senators voting in the affirmative were Messrs Grey Haycock Hicks House McCallum and Pindall 6.

Those Senators voting in the negative were Messrs Blackwell Brown Campbell East Fletcher Hall Johnson Loughborough Norman Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 21

HR 112 Those Senators absent and not voting were Messrs Black Forney Henderson and Jones 4

So The Senate refused to adopt the amendment to the Bill.

On motion of Mr Loughborough House Bill No 112 "An act to define the boundaries of Pulaski and other Counties" was then read the third time and placed on its passage.

The question then being put shall the Bill pass? it was decided in the affirmative, Ayes 22. Nays 5. absent and not voting 4.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell East Fletcher House Johnson Loughborough Norman Reagan Sims Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams Hart and Mr President 22

Those Senators voting in the negative were Messrs Grey Haycock Hicks McCallum and Pindall 5

Those Senators absent and not voting were Messrs Black Forney, Henderson and Jones 4

So The Bill Passed

On motion of Mr Tobey the Hon.s W W Mansfield and J E Cravens were invited to seats within the bar of the Senate.

A Message from the House by their assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Decr 2nd 1875

Mr President

I am instructed by the House of Representatives to inform your honorable Body of the adoption of a Resolution appointing a committee of five on the part of the House and respectfully ask a committee of three on part of the Senate, to act in conference
SB 72 on Senate Bill No 72 "An act fixing the number and salaries of the Clerks in the various State Departments" also the communications referred therewith.

The Committee on part of the House is Messrs Chaney

Thursday December 2nd 1875

Judkins. Ken. Fulton and Hill of Calhoun. and herewith respectfully transmit the same for your favorable consideration

Chas. Reid Jr
1st Asst Clerk

The Resolution of the House in the words following, to wit: Resolved. That a Committee of Conference be appointed to consist of five members of the House, and three members of the Senate to take into consideration Senate Bill No 72. "An act to fix the number and Salaries of the Clerks of the various State Departments" als the Communications referred therewith, was then read the first time and adopted.

Mr Pindall then moved that a committee of three on the part of the Senate be appointed by the President to confer with the Committee from the House on Senate Bill No 72. in Compliance with their request

SB 72

Which motion was adopted, and the President appointed Messrs Pindall. Norman and Williams as such Committee.

Mr Williams moved to take a recess until two O'Clock and thirty minutes this evening, but withdrew the same by request.

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report.

Mr President.

Your Committee to whom ~~to which~~ was referred Senate Bill No 320. it being "a Bill for an act to be entitled an act to legalize the levying of taxes" report the same correctly Engrossed.

SB 320

The report was received

Mr Brown Chairman of the Committee on ~~on~~ Engrossed Bills also submitted the following report.

Mr President

Your Committee to whom was referred Senate Bill No 304 it being an act to be entitled "An act to amend Sections 4. 7. 9. 11. 12. 13. 15. 19. 26. 29. 30. 31. 32. and 36 of an act entitled "An act to establish fees." approved February 25th 1875." report the same correctly Engrossed as amended.

SB 304

The report was received.

Mr Norman was called to the Chair

SB 304 The Special order postponed this A.M. being Senate Bill No 304. was then taken up and the Bill was then read the third time and placed on its passage.
The question then being shall the Bill pass? it was decided in the affirmative, Ayes 19. Nay 1. absent and not voting 11.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Grey Hart House Johnson Norman Paddock Reagan Sims Sullivan Thower Tobey Toomer Turner Warren Wheeler and Mr President 19

The Senator voting in the negative was Mr Blackwell 1

Those Senators absent and not voting were Messrs Black East Forney Haycock Henderson Hicks Jones Lough borough McCallum Walker and Williams 11

So The Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills Submitted the following report.
Mr President.

SB 299 Your Committee to whom was referred Senate Bill No 299. it being a Bill to be entitled "an act to establish separate Courts in the County of Yell" report the same correctly engrossed as amended.

The report was received

SB 322 On motion of Mr Warren the next Special order was then postponed and Mr Warren by unanimous consent introduced a bill of which previous notice had not been given entitled "A Bill for an act to create a new County from the Eastern portion of Union County and for other purposes."

Which was read the first time.

On motion of Mr Warren the rules were then Suspended and the Bill was read the second time.

Mr Norman then moved to fill the blank Space for the name of the County wherever it occurs in the Bill with the name of "Warren" in memory of the Hon E. A Warren deceased.

Which motion was adopted.

Thursday December 2nd 1875

On motion of Mr Warren the Bill was then laid on the table subject to call.

Mr Norman then moved that the Senate take a recess until 7 O'clock this P.M. but withdrew the same by request.

On motion of Mr East the Special order postponed this morning being Senate Bill No 320 "A Bill for an act to be entitled an act to legalize the levying of taxes" was then taken up and the Bill was read the third time and placed on its passage.

SB 320

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 20, Nays none, absent and not voting 11.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Grey Hart Haycock House Johnson Norman Pindall Reagan Sims Sullivan Thower Toomer Turner Warren Wheeler and Mr President 20

Those Senators absent and not voting were Messrs Black Blackwell Forney Henderson Hicks Jones Loughborough McCallum Tobey Walker and Williams 11.

So The Bill Passed

Mr Norman then renewed his motion to take a recess until Seven O'clock this evening.

Mr Pindall moved as a substitute for the motion of Mr Norman "that the Senate do now adjourn."

Which motion was put and lost

A Message from the House by assistant Clerk Cole Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
Decr 2nd 1875

Mr President

I am instructed by the House of Representatives to inform your honorable Body of the passage by the House of HR 258. "An act to prevent discrimination of County warrants or County scrip". Also HR No 216 "an act in relation to swamp lands." and herewith respectfully transmit the same for your favorable Consideration.

HR 258

HR 216

Cole Reid Jr asst Clerk

The question then recurring upon the motion of Mr Norman it was adopted by a rising vote, whereupon the Senate took a recess until Seven O'Clock this Evening.

After The Recess

The Senate met at seven O'Clock P.M.

The Secretary called the roll and the following Senators answered to their names, Mr President Pinch and Messrs Blackwell Brown Campbell Grey Hart Hicks House M Callum Norman Pindall Reagan Sims Sullivan Walker Wheeler and Williams 17

Those Senators failing to answer to their names at the call of the roll were Messrs Black East Fletcher Forney Haycock Henderson Johnson Jones Loughborough Thurber Tobey Toomer Turner and Warren 14

A Quorum Present

Mr Campbell asked and obtained leave of absence for Mr Tobey for the evening.

SB 299 The Special Order postponed this day being Senate Bill No 299 was then taken up and was on motion of Mr House postponed until ten and a half O'Clock on tomorrow.

HB 216 Under the order of business House Bill No 216 "An act concerning Swamp Lands" was then taken up and read the first time.

On motion of Mr Hicks the rules were then suspended and the Bill was read the second time.

Mr Hicks then moved to amend the Bill by striking out the word "return" where it occurs in the Second section and inserting the word "retain" in lieu thereof. The amendment was read the first time and under a suspension of the rules was read a second time and adopted, and on motion of Mr Hicks the Bill as amended was referred to the Committee on State Lands.

HR 258 House Bill No 258 "An act to prevent discrimination of County warrants or County Script" was then taken up and read the first time.

On motion of Mr Norman the rules were then suspended and the Bill was read the second time and referred to the Committee on Finance.

HR 272 House Bill No 272 "An act to incorporate the National Charity Hospital of Hot Springs" was then taken up and read the first time.

Mr Hicks then moved that the rules be suspended and the Bill be read the second time.

Which motion was not agreed to and the Bill was placed in its order on the Calender.

A Message from the House by their assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 2nd 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House
HR 299 of HR No 299. "An act making appropriations for the Expenses of the Executive, Legislative and Judicial Departments of the State of Arkansas." Also of Senate Bill No 300
SB 300 "An act to amend an act to regulate the time of holding the Courts in the 10th Judicial Circuit." Also of the indefinite postponement of Senate Bill No 252. "An act to
SB 252 authorize the sale of Lands belonging to Estates of deceased persons and herewith respectfully transmit the same.

Chas C Reid Jr
1st Asst Clerk

Mr Walker was excused from attendance for the remainder of the day.

HR 225 House Bill No 225 "An act establishing a Court of Common Pleas in the Counties therein named" was then taken up and read the first time.

Mr Reagan then moved that the rules be suspended and that the Bill be read the second time.

Which motion was lost

Mr Hicks moved to reconsider the vote by which the

HR 225 motion to read the Bill the second time was lost.

Which motion was adopted and House Bill No 225 was then read the second time.

Mr Sims then moved to amend the Bill by striking Independence County therefrom.

Mr Sullivan then moved to amend the amendment by adding thereto the names of Crittenden and Woodruff Counties.

Which was accepted by Mr Sims

Mr Reagan then moved to further amend the ~~Bill~~ amendment by striking Johnson County therefrom

Which was accepted by Mr Sims

Mr Grey moved to further amend the ~~Bill~~ amendment by striking the name of Lee County therefrom

Which was accepted by Mr Sims.

The amendments were then on motion read the first and second time and adopted.

Mr Pindall moved that the further consideration of the Bill be indefinitely postponed but withdrew the same.

On motion of Mr Pindall the Bill as amended was referred to the Committee on the Judiciary.

HR 296 House Bill No 296 "An act to legalize and make valid certain proceedings of the County and Probate Courts of Craighead County" was then taken up and read the first time.

On motion of Mr Turner the rules were then dispensed with and the Bill was read the second time and on motion of Mr Brown was made the Special order for twelve O'clock to morrow.

HR 299 On motion of Mr Norman House Bill No 299 "An act providing appropriations for the Expenses of the Executive, Legislative and Judicial Departments of the State Government" was taken up and read the first time.

On motion of Mr Norman the rules were then suspended and the Bill was read the second time and made the Special order for Eleven O'clock to morrow in Committee of the whole.

Thursday Decr 2nd 1875

Senator Hicks was called to the Chair.

Mr Fletcher, acting Chairman of the Committee on Agriculture submitted the following report.

Mr President

The Committee on agriculture to whom was

HR 57 referred House Bill No 57 Entitled "An act to encourage sheep raising in this State" have given the same mature consideration, and I have the honor to report as acting Chairman, that a majority of said Committee have instructed me to report the Bill back and recommend that the same do pass, the Chairman being the only member voting in the negative.

The report was received and thereupon Senator Fletcher offered the following amendment to the Bill. "Amend by adding to the end of the section levying the tax, "provided each head of a family may keep and own one coon and opossum dog which shall be exempt from the foregoing tax."

Which amendment was lost

After discussion thereon, on Motion of Mr Hart House Bill No 57 "An act to encourage sheep raising in this State" was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 16. Nays 6. Excused from voting 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Brown Campbell Hart Haycock Horse Johnson McCallum Norman Pindall Sullivan Thurver Tobey Toomer Turner Wheeler and Williams 16

Those Senators voting in the negative were Messrs East Fletcher Grey Hicks Sims and Mr President 6

The Senator Excused from voting was Mr Reagan 1

The Senators absent and not voting were Messrs Black Blackwell Forney Henderson Jones Loughborough Walker and Warren 8.

So The Bill Passed

Mr Williams moved to adjourn but withdrew the same

Mr Thower chairman of the Committee on State Lands submitted the following report. Mr President.

HR 261 Your committee on State Lands to whom was referred House Bill No 261 "A Bill for an act to allow the redemption of forfeited lands" have had the same under Consideration and beg leave to return the Bill and recommend its passage.

The report was received and on motion of Mr Thower House Bill No 261 was made the Special order for tomorrow at half past ten O'clock A.M.

Mr Thower chairman of the select joint committee to Consider the "Fee Bill." submitted a verbal SCR 40 report returning Senate Concurrent Resolution No 40 and asking that the Committee be discharged.

The report was received and the Committee discharged.

Mr House Chairman of the Committee on Education submitted the following report.
Mr President.

HR 263 Your Committee to whom was referred House Bill No 263. entitled "an act to authorize the School District of Little Rock to fund its outstanding indebtedness and for other purposes." have had the same under consideration and herewith respectfully return the same and recommend its passage.

The report was received and House Bill No 263 was then read the third time and placed on its passage.

The question then being Shall the Bill pass?, it was decided in the affirmative, Ayes 21, Nays 1. absent and not voting 9.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Grey Hall Haycock Hicks House Johnson M Callum Norman Reagan Sims Sullivan Thower Toomer Turner Wheeler Williams and Mr President 21

The Senator voting in the negative was Mr Doby 1

Those Senators absent and not voting were Messrs Black Blackwell Forney Henderson Jones Loughborough Pindall Walker and Warren 9.

Thursday Decr 2d 1875

So The Bill Passed

On motion of Mr Bunch the Senate then adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of The Senate
Friday Decr 3d 1875

The Senate met pursuant to adjournment at ten O'Clock A.M.

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Blackwell Campbell Fletcher Hart Henderson Hicks House Loughborough M'Callum Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Wheeler and Williams 20

Those Senators absent at the call of the roll were Messrs Black Brown East Forney Grey Haycock Johnson Jones Thrower Toomer and Warren 11

A Quorum announced as present

Prayer by the Revd Mr Watson

The Secretary then read the Journal of yesterday and there being no objection thereto it was approved and signed by the President and Secretary.

Mr Warren appeared within the bar of the Senate and answered to his name.

Mr Warren by unanimous con=

sent introduced the following Resolution.

Resolved. by the Senate. the House of Representatives concurring. that a joint Session of the General Assembly be held
SJR 144 in the Hall of the House of Representatives on the day of December Eighteen Hundred and Seventy five at Eleven O'Clock A M for the purpose of electing a State Superintendant of Public Instruction.

The Resolution was read the first time and under a Suspension of the rules was read the second time and laid on the table subject to call.

On motion of Mr Fletcher Mr Johnson was granted leave of absence until Monday next on account of sickness in his family.

Mr Wheeler by unanimous consent introduced
SB 323 a Bill of which previous notice had not been given. Entitled "A Bill for an act to be entitled an act to extend and enlarge the Boundaries of the Fort Smith District of Sebastian County."

Which was read the first time, and on motion of Mr Wheeler the rules were suspended and the Bill was read the second time and made the Special Order for Eleven O'Clock on to morrow.

Senators Grey and Haycock appeared within the bar of the Senate. and answered to their names.

On motion of Mr Loughborough the Special order for this hour was then temporarily postponed

Mr Grey moved that one thousand copies of Senate Bill No 74. Known as the School Bill be ordered printed. in pamphlet form.

Which motion was adopted and the printing ordered.

The Special Order for ten and a half O'Clock, being House
HR 261 Bill No 261 "A Bill for an act to allow the redemption of forfeited Lands" was then taken up. the Bill was read the third time and placed on its final passage.

The question then being put, shall the Bill pass? it was decided in the affirmative. Ayes 24. Nays none. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell Fletcher Grey Hait-

Friday December 3rd 1875

Haycock Henderson Hicks Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 24

Those Senators absent and not voting were Messrs Black East Forney House Johnson Jones and Thrower 7

So The Bill Passed.

SB 299. The next Special Order being Senate Bill No 299 "An act to create Separate Courts in the County of Yell" was then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 16. Nays 8. Excused from voting 2. absent and not voting 5.

Those Senators voting in the affirmative were Messrs Blackwell Fletcher Grey Hall Haycock Henderson Loughborough Norman Sims Sullivan Tobey Toomer Turner Walker Warren and Wheeler. 16

Those Senators voting in the negative were Messrs Brown Campbell Hicks McCallum Pindall Reagan Williams and Mr President 8

The Senators excused from voting were Messrs East and House 2

Those Senators absent and not voting were Messrs Black Forney Johnson Jones and Thrower 5

So The Bill Passed

HR 299 The next Special order being House Bill No 299. "An act providing appropriations for the expenses of the Executive, Legislative and Judicial Departments of the State Government." was then taken up and the Senate resolved itself into Committee of the whole in consideration of the Bill, Senator Norman in the Chair.

After consideration thereof the committee rose and through its chairman submitted the following report.

Mr President

The Committee of the whole Senate have had under consideration House Report No 299. "A Bill for an act to make appropriations to defray the Expenses of the Executive. Legislative and Judicial Departments of the State Govern-

ment from to and have directed me as its Chairman to report the same back to the Senate without amendment, and with the recommendation that said Bill do pass.

The report was received and the Committee discharged

HR 299 On motion of Mr Hicks House Bill No 299 was then read the third time and placed on its passage.

Pending the reading of the Bill Mr Hart moved a call of the roll. The motion was adopted and the Secretary called the roll of the Senate when the following Senators answered to their names, Messrs Blackwell Brown, Campbell Hart Henderson Hicks Loughborough McCallum Norman Pindall Reagan Sims Thower Tobey Turner Warren Wheeler and Mr President — 18

The following Senators were absent at the call of the roll, Messrs Black East Fletcher Forney Grey Haycock House Johnson Jones Sullivan Toomer Walker and Williams 13.

A Quorum Present

HR 299 After the third reading of House Bill No 299, the question then being put, Shall the Bill pass? it was decided in the affirmative, Ayes 22. Nays none, absent and not voting 9.

Those Senators voting in the affirmative were Messrs Blackwell Brown Campbell, Fletcher Hart Haycock Henderson Hicks Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thower Tobey Turner Walker Warren Wheeler and Mr President 22

Those Senators absent and not voting were Messrs Black, East, Forney Grey House Johnson Jones Toomer and Williams. 9

So The Bill Passed

Mr Reagan then moved that the Senate take a recess until Seven O'clock P.M.

Mr Hart then moved as a substitute for the motion "that the Senate take a recess until three O'clock P.M." but withdrew the same tem-

Friday December 3rd 1875

-porarily, and Mr Loughborough asked and obtained leave of absence for Mr Blackwell until the tenth day of December 1875.

Mr Hart renewed his motion, and the question recurred upon the motion of Mr Reagan which was lost by a rising vote.

The question then recurring upon the motion of Mr Hart, it was adopted by a rising vote, upon which the Senate took a recess until three O'Clock P.M.

After The Recess

The Senate met at three O'Clock P.M

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Campbell Hart Hicks House M'Callum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler and Williams 18

Those Senators absent at the call of the roll were Messrs Black Blackwell Brown East Fletcher Grey Forney Haycock Henderson Johnson Jones Loughborough and Thower 13

A Quorum Present

HR 296 The Special order for twelve o'clock this day being House Bill No 296 "An act to legalize and made valid certain proceedings in the County and Probate Courts of Covington County" was then taken up and the Bill was read the third time.

Senators East and Loughborough appeared within the bar of the Senate and answered to their names

On motion of Mr Loughborough the consideration of House Bill 296 was postponed on account of the absence of Senator Brown.

SB 312 Special Order postponed this morning being Senate Bill No 312 "An act to provide for the publication of the Organic Laws of the State" was then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass?

it was decided in the affirmative. Ayes 22. Nays none. absent and not voting 9.

Those Senators voting in the affirmative were Messrs Campbell East Hart Haycock Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Turner Tovey Tromer Turner Walker Warren Wheeler Williams and Mr President 22

Those Senators absent and not voting were Messrs Black Blackwell Brown Fletcher Forney Grey Henderson Johnson and Jones 9

So The Bill Passed

Mr Grey appeared within the bar of the Senate and answered to his name.

SB 324 Mr Sullivan by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to fix the Salary of the County and Probate Judges of Woodruff County.

Which was read the first time. On motion of Mr Sullivan the rules were then suspended and the Bill was read the second time and made the Special Order for twelve O'clock on Monday next.

Under the order of business Mr Turner chairman of the Judiciary Committee submitted the following report. Mr President.

The Committee on the Judiciary to whom

SB 313 was referred Senate Bill No 313 entitled "an act to extend the jurisdiction of Police Judges" have had the same under consideration and your Committee ask leave to report the Bill back to the Senate and they do recommend the passage of the same.

The report was received and on motion of Mr Turner Senate Bill No 313 was then read the third time and placed on its final passage.

The question then being shall the Bill pass? it was decided in the affirmative, Ayes 21, Nays 1. absent and not voting 9.

Those Senators

Friday December 3rd 1875

voting in the affirmative were Messrs Campbell East Grey Hart Haycock House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thrower Tobey Turner Walker Warren Wheeler Williams and Mr President 21

The Senator voting in the negative was Mr Hicks 1

Those Senators absent and not voting were Messrs Black Blackwell Brown Fletcher Forney Henderson Johnson Jones and Toomer 9.

So The Bill Passed

Mr Turner Chairman of the Judiciary Committee also submitted a further report as follows.

Mr President

HR 268 The Committee on the Judiciary to whom was referred House Bill No 268 Entitled "an act to provide for the printing and sale of the Supreme Court reports" have had the same under consideration and ask leave to report the Bill back to the Senate and your committee do recommend that it pass.

The report of the Committee was received and on motion of Mr Pindall House Bill No. 268 was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 22. Nays 1. Excused from voting 1. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Grey Hart Haycock Henderson Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thrower Turner Walker Warren Wheeler Williams and Mr President 22

The Senator voting in the negative was Mr Tobey 1

The Senator Excused from voting was Mr East 1

Those Senators absent and not voting were Messrs Black Blackwell Brown Forney Johnson Jones and Toomer 7

So The Bill Passed

Mr Henderson appeared within the bar of the Senate and answered to his name.

Mr Turner chairman of the Judiciary Committee submitted the following report. Mr President

The committee on the Judiciary to whom was referred House Bill No 229 entitled "An act to change the name of "Barber County" to that of "Logan" and for other purposes" have had the same under consideration and ask leave to report the Bill back to the Senate with an Emphatic recommendation that it do pass.

HR 229

The report was received and on motion of Mr Turner House Bill No 229 was read the third time.

Mr Hicks then moved that as the proper legal notice did not accompany the Bill that it lie on the table subject to call.

Which motion was adopted.

Mr Warren chairman of the Committee on claims submitted the following report.
Mr President

The Committee on claims to whom was referred Substitute for House Bill No 257 have had the same under consideration and instruct me to report the same back recommending its passage.

~~SS for HR 257~~ NSub for SB 257 SB 257

The report of the Committee was received and Mr Warren moved that the Bill be read the third time and placed on its passage.

Upon which Mr Haycock moved as a substitute for the motion of Mr Warren that the Bill be recommitted to a select committee of three, but withdrew the same.

Mr Warren then renewed his motion and House Bill No 257 "An act to refund moneys to Washington County erroneously collected from tax payers of said County" was then read the third time and placed on its passage.

Mr Puidall then moved to postpone the further consideration of the Bill.

Friday December 3rd 1875

which motion was put and lost.

Senator Fletcher was called to the chair

The question then being shall the Bill pass? it was decided in the affirmative Ayes 13. Nays 9. absent and not voting 9.

Those Senators voting in the affirmative were Messrs Fletcher Hart Loughborough Reagan Sims Sullivan Thrower Tobey Toomer Turner Walker Warren and Mr President 13

Those Senators voting in the negative were Messrs Brown Campbell Grey Haycock Hicks House M Callum Norman and Tindall. 9

Those Senators absent and not voting were Messrs Black Blackwell East Forney Henderson Johnson Jones Wheeler and Williams 9

So The Bill Passed

A Message from the Governor by his private Secretary C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Dec 3rd 1875

To The President of the Senate of Arkansas and the members thereof

Gentlemen

I herewith transmit a communication to me from the secretary of the Board of Trustees of the Arkansas State Lunatic Asylum from which it appears there are two vacancies to be filled in that Board.

To that end I respectfully present for your confirmation the names of J W Faust and J T Trezevant Jr

Very Respectfully
A H Garland
Governor of Arkansas.

At a meeting of the Board of Trustees of the Arkansas State Lunatic Asylum, held on the 24th day of July 1875. Present the Hon H C Caldwell Chairman. and A H Garland, P O Hooper and W Wilshire a quorum of the board, the following proceedings were had, to wit;

The Chairman announced that under the provisions of section one of the act creating this Board. approved 19th April 1873. it is required that it be determined by lot; the

two members of the Board whose term of Office expires this day, being two years from the date of its organization.

And thereupon on balloting it was determined that the term of Office of Messrs A H Garland and W W Wilshire as Trustees expires this day, and the Secretary is directed to notify his Excellency the Governor of the State of these proceedings.

I certify that the above is a true Copy from the minutes of proceedings of the Board of Trustees of the Arkansas State Lunatic Asylum.

Attest, Gordon N Peay Secretary.

A further Message from the Governor as follows

State of Arkansas
Executive Office
Little Rock Dec 3rd 1875

To the President of the Senate of Arkansas and the members thereof

Gentlemen

With this I transmit a letter from the Commissioner of the General Land Office at Washington, requesting me to make a deed relinquishing the right of the State to a certain tract of land therein named.

After considering the matter maturely, I reached the conclusion the land belonged to the State and the reason set forth in the letter was not sufficient, even if as Governor, I had the authority to make such a deed.

I placed the matter before the Attorney General, and he has replied in an opinion which I herewith submit.

Should the Legislature deem it advisable for the State to relinquish her right to this land as requested by the Commissioner, it would be well to pass an act that would accomplish this purpose.

Without some measure of this kind, I shall decline to make the deed.

Whatever may be the conclusion of the Legislature upon this subject, this case furnishes a very strong reason for the passage of an act that will lead to a settlement of all matters of interest arising between the United States and the State of Arkansas on account of the Swamp Land grant, which was more fully presented in my Message to the Legislature at the beginning of the present session.

Very Respectfully
A H Garland
Governor of Arkansas

Friday December 3rd 1875

Department of the Interior
General Land Office
Washington D C Novr 17th 1875.

His Excellency the
Governor of Arkansas
Little Rock Arkansas

Sir.

I have the honor to call your attention to the fact that October 3rd 1856 the agent for the State selected under act September 28th 1850 as swamp the S W 1/4 of S W 1/4 Section 10 Town 13 S. R. 15 W. District of lands subject to sale at Champagnolle, now Camden Arkansas.

The selection was patented to the State September 11th 1874. On the 30th December 1856. John H Martin entered the tract in question under the graduation Law of 4th August 1854.

The confirmatory act 3rd March 1857 gave superiority to the entry, notwithstanding the State selection has priority in date. Mr Martins title was therefore confirmed by said act. The said Patent having been inadvertantly issued to the State, I have the honor to request that the Governor relinquish to the United States, all right title and interest in the State, to the said tract, by virtue of said patent.

Very Respectfully
Your obt Servant
S S Burdet
Commissioner

Office of Attorney General
State of Arkansas
Little Rock Decr 3rd 1875

To His Excellency
A H Garland, Governor
Little Rock, Ark

Dear Sir

I have the honor to say that I have examined the question involved in the letter of the Commissioner of the General Land Office at Washington D.C. of date 17th November last in regard to the S W 1/4 of S W 1/4 of Section 10. T. 13 S. R. 15 W.; and find that it is held; that the act of Congress of 28th September 1850, granting swamp and overflowed lands to the State, *proprio vigore*, from the day of its date, vested title in the State, to all the lands of the particular description therein designated; and that nothing was thereafter needed, save the definition of boundaries to make it perfect - Fletcher vs Pool 20 Arkansas.

102 & 103, & cases cited), (Armistead vs Underhill 20 Arkansas 346). It occurs to me that the act of 3rd of March 1857 (Section 2484 Revised Statutes U S) did not, and could not have the effect to divest the title to this land, which according to the letter of the Commissioner was selected by the agent for the State October 3rd 1856, and was patented to the State September 11th 1874.

At the time of the entry of this tract by Mr John H Martin 30th December 1856, there was, as we understand the law, no title in the United States Government; it had passed by the grants above referred to, to the State.

I have the honor to be
Very Respectfully yours
S P Hughes
Attorney General.

Mr Turner Chairman of the Judiciary Committee Submitted the following report. Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 264 entitled "An act to change and define the boundary line between the Counties of Boone and Marion and for other purposes" have had the same under consideration and ask leave to report the Bill back to the Senate with the following amendments, that is to say strike out the whole of the 1st Section of the bill and substitute in lieu thereof. "Sec. 1. Beginning at the point on White River where the West boundary line of Marion County strikes said White River on the South and running up said White River with its meanderings to the Section line between Sections three and four in Township Twenty one North of Range Eighteen West, thence South with said Section line to the South boundary line of Boone County, thence east to the Marion County line" — Amend also immediately after the words "County Court" at the end of the 2nd Section of said Bill by inserting the words "And the Collector of Boone County shall collect the taxes for 1874, and previous years in the annexed territory as though the annexation had not been made." And as thus amended your Committee do recommend the passage of the Bill

SB 264

The report was received and the amendments offered by the Committee to Senate Bill No 264 were read the first time.

Mr Burch then moved that the Bill and amendments be laid on the table until ten and

Friday December 3rd 1875

SB 264

a half o'clock on tomorrow.

Mr Hart moved as a substitute for the motion that the amendments be read the second time and adopted.

Which motion was adopted and the amendments were read the second time under a suspension of the rules and adopted.

Mr Hart then moved that the Bill as amended be made the special order for half past ten O'Clock on to-morrow.

Mr Bunch having given notice of an amendment to the Bill moved as a substitute that the Bill be made the Special Order for Eleven O'Clock on tomorrow.

Which was accepted by Mr Hart, and the Bill as amended was made the Special Order for Eleven O'Clock on tomorrow.

On motion of Mr Hicks the Senate then adjourned

Bradley Rincher
President of the Senate

Thomas W. Hewitt
Secretary.

Journal of the Senate
Saturday Decr 4th 1875

The Senate met pursuant to adjournment at 10 o'clock A.M.

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Brown Campbell East Fletcher Hart Haycock Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thrower Tobey Tovner Walker Warren Wheeler and Williams. 23

Those Senators absent at the Call of the roll were Messrs Black, Blackwell Forney Grey Henderson Johnson Jones and Turner 8

A Quorum present

Prayer by Revd Mr Burns

The Journal of yesterday was then read by the Secretary, and one corection thereof being made in this days proceedings, it was approved and signed by the President and Secretary.

On motion of Mr Haycock the Journal of yesterday was then corrected as follows, to wit; Mr Haycock asked and obtained leave of absence for Mr Grey until the tenth day of December 1875.

On motion of Mr Hicks the message of the Governor, transmitted to the Senate on yesterday, together with the accompanying documents, was referred to the Committee on State Lands.

SB 325 Mr Norman by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to return the Arkansas Institute for the blind to the City of Arkadelphia and for other purposes."

Which was read the first time and on motion of Mr Norman the rules were suspended and the Bill was read the second time and referred to the joint select Committee previously appointed on the same subject.

HR 296 On motion of Mr Brown House Bill No 296. "An act to

HR 296 legalize and make valid certain proceedings of the County and Probate Courts of Craighead County" which was read the third time and laid over on yesterday, was then taken up and placed on its final passage.

The question then being Shall the Bill pass; it was decided in the affirmative, Ayes 22, Nays none, absent and not voting 9.

Those Senators voting in the affirmative were Messrs Brown Campbell. Fletcher Hart Henderson Hicks House Loughborough M Callum Norman Reagan Sims. Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 22

Those Senators absent and not voting were Messrs Black Blackwell East Fomey Grey Haycock Johnson Jones and Pindall 9

So The Bill Passed

HR 229 On motion of Mr Turner House Bill No 229, "An act to change the name of "Sarber County" to the name of "Logan" which was read the third time and laid over on yesterday, was then taken up, and the proper legal notices being produced, the Bill was placed on its final passage.

The question then being, Shall the Bill pass? it was decided in the affirmative; Ayes 20; Nays one. Absent and not voting 10.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Henderson House Loughborough M Callum Norman Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 20

The Senator voting in the negative was Mr Thower 1

Those Senators absent and not voting were Messrs Black Blackwell East Fomey Grey Haycock Hicks Johnson Jones and Pindall 10

So The Bill Passed

A Message from the House by Clerk Reid who appeared within the bar of the Senate and read as follows,

Hall House of Representatives
December 4th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of HR No 100, An act to amend Chapter 54 of Gantts Digest."

HR 100

HR 235

Also of HR No 235 "An act to provide for the Clothing and other personal Expenses of the pupils of the benevolent Institutions of this State." Also of HR No 298 "An act to prevent Stock from running at large in Walnut Bayou." Also HR No 218, "An act to amend an act entitled an act fixing the price of State Lands and for other purposes." Also HR No 226, "An act to provide for the Arkansas Institute for the Blind." Also Senate Memorial No 7, "Memorial to the Congress of the United States to inaugurate a national System of Levees." Also Senate Memorial No 10, "A Memorial to the Honorable the Senate and House of Representatives of the United States of America, asking an appropriation to improve navigation of White River &c." and herewith respectfully transmit the same for your favorable consideration

HR 298

HR 218

HR 226

SJM 7

SJM 10

Chas C Reid Jr
1st asst Clerk

Mr Turner chairman of the Judiciary Committee submitted a verbal report upon the question of the per diem pay of the pages of the Senate, and reported in favor of paying them 3$ per day, as the Law now stands in Gantts Digest.

The report was received and adopted

Mr Turner chairman of the Judiciary Committee also submitted the following report. Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 306 entitled "an act to punish persons in this State for obtaining money, goods, wares Supplies &c under false pretences and for other purposes", have had the same under consideration and ask leave to report the Bill back to the Senate and your committee do recommend its passage.

SB 306

The report was received and on motion of Mr Turner Senate Bill No 306 was laid on the table Subject to Call.

Mr McCallum chairman of the Committee on County and County Lines Submitted the following report. Mr President

The Committee on County and County lines to whom was referred Sen

Saturday Dec 4th 1875

SB 317 ate Bill No 317 entitled "An act to change the line between the Counties of Nevada and Ouachita in this State" have had the same under consideration.

The Committee find that Nevada County contains only 609 square miles, and this Bill proposes to take from said County about 20 square miles which reduces the County below the Constitutional limits. I am instructed by the Committee to return the Bill and Petition and recommend that the Bill lie on the table.

The report was received and adopted and Senate Bill No 317 was thereby laid on the table.

Mr McCallum chairman of the Committee on County and County lines submitted a further report as follows.

Mr President

SB 309 Your Committee on County and County Lines to whom was referred Senate Bill No 309 have had the same under consideration and have instructed me to return the same herewith, with a recommendation that it do not pass.

The report was received and it, together with the Bill were laid on the table subject to call.

Mr House chairman of the Committee on Education, Submitted the following report.

SB 220 Mr President. Your Committee to whom was referred Senate Bill No 220 A Bill to be entitled an act to regulate the number of trustees, and to provide for the appointment, and to regulate the salary of the President of the Arkansas Industrial University "have had the same under consideration and herewith respectfully return the same and recommend that it lie on the table.

The report was received and adopted and Senate Bill No 220 was thereby laid on the table.

Mr Fletcher chairman of the Committee on Agriculture submitted the following report.

SB 315 The Committee on Agriculture to whom was referred Senate Bill No 315 entitled "an act to give landlords a lien on the crop grown on the lands rented for supplies furnished to the tenant to make the crop" have had the same under consideration and I have the honor to report that the committee have unanimously instructed me to

report the Bill back and recommend that the same do pass.

The report was received and on motion of Mr Norman Senate Bill No 315 was read for information.

Mr Norman then moved that the further consideration of the Bill be indefinitely postponed.

A Message from the House by their assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House Representatives
Decr 4th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable Body of the passage by the House of H R No 257 "An act to fix the time for holding the County and Probate Courts of Conway County".

HR 257

Also H R No 302 (Substitute to Senate Bill No 257) "An act to provide for the payment of County assessors."

HR 302

Also Senate Bill No 310 "An act to change the name of Clayton to Clay" and herewith respectfully transmit the same for your favorable consideration.

SB 310

C C Reid Jr Ast Clerk

The Special order for this hour being Senate Bill No 264 was on motion of Mr Naycock temporarily postponed and the consideration of the indefinite postponement of Senate Bill No 315 was resumed.

SB 315

The question then being Shall the Bill be indefinitely postponed? it was by a rising vote decided in the affirmative and the Bill was indefinitely postponed.

The Special Order for this hour being Senate Bill No 321 "An act to donate five hundred dollars to the Ladys Benevolent Association of Little Rock" was taken up and the Bill was read the third time and placed on its passage.

SB 321

The question then being shall the Bill pass? it was decided in the negative. Ayes 10. Nays 10. Excused from voting 1. Absent and not voting 10.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Loughborough M Callum Reagan Sims Toomer and Turner 10

Saturday December 4th 1875

Those Senators voting in the negative were Messrs East Hicks House Sullivan Thower Walker Warren Wheeler Williams and Mr President 10

The Senator Excused from voting was Mr Henderson 1

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey Haycock Johnson Jones Norman Pindall and Tobey 10

So the Senate rejected the Bill

SB 323 On motion of Mr Wheeler Senate Bill No 323 "An act to extend and enlarge the boundaries of the Fort Smith District of Sebastian County" was read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 22. Nays none. absent and not voting 9

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Henderson Hicks House Loughborough McCallum Norman Reagan Sims Sullivan Thower Toomer Turner Walker Warren Wheeler Williams and Mr President 22

Those Senators absent and not voting were Messr Black Blackwell Forney Grey Haycock Johnson Jones Pindall and Tobey 9

So The Bill Passed

Mr Thower chairman of the Committee on State lands submitted the following report.

Mr President.

HR 216 Your committee on State Lands to which were referred House Bill No 216 to be entitled an act in relation to Swamp Lands, and Senate amendment have had the same under consideration and instructs me to return the Bill and amendment with the recommendation that the Bill as amended do pass. All of which is respectfully submitted.

The report was received and on motion of Mr Thower ~~the Bill~~ House Bill No 216 was laid on the table until ten o'clock and thirty min-

-utes on Monday next.

Senator Fletcher was called to the Chair

SB 264 The Special Order for this hour being Senate Bill No 264 was then taken up and Mr Bunch offered the following amendment to the Bill. Amend section 1 as follows, "Beginning at the North East Corner of Township No 21 N. of Range 18 W. thence running west two miles to a point dividing Sections 2 and 3 of said Township 21, thence South to Newton County line at a point dividing Sections 14 and 15 of Township 17 North, Range 18 West, thence East to Marion County line.

The amendment was read the first time and under a suspension of the rules was read the second time and lost.

A Message from the House by asst Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 4th 1875

Mr President

I am instructed by the House of Represent-atives to inform your honorable body of the passage by
HR 265 the House of H.R. No 265 "An act to be entitled an act to change the time of holding the Circuit Courts in the Second Judicial Circuit." and herewith respectfully trans-mit the same for your favorable consideration.

C C Reid Jr
1st asst Clerk

Mr Bunch then offered the following amendment to Sen-
SB 264 -ate Bill No 264. "All suits and proceedings now pending in the Courts of Boone County properly cognizable in the County to which the territory attached to Marion belongs may be prosecuted to final judgement or determination in the County of Boone - as if this act had not passed - provided - the Plaintiff or defendant in any suit - or the Exec-utor, administrator, or guardian may have suits or admin-istrations transferred to Marion County upon presenting their petition to the court in which such suit is pend-ing, praying such transfer. The court granting the prayer shall order the original papers and certified copy of such records as may be necessary to be transferred to the County of Marion to be prosecuted to final judgement or determination in such Courts of Fulton County as

SB 244 may have jurisdiction in the subject matter. The party applying for such transfer shall pay all the cost of such transfer and cause to be filed in the proper Court of Fulton all the papers and transcripts within 30 days after such order shall be made. Upon a failure to file such papers and transcripts the order making the transfer shall be annulled and such cause shall proceed to final hearing and determination as if no such order had been made."

The amendment was read the first time and under a suspension of the rules was read a second time and lost.

Mr Bunch then offered a further amendment to the Bill as follows.
Section, Be it further enacted that all Township Officers residing in that portion of Boone County which is by this act made a part of Marion County shall continue to exercise the functions of their respective Offices in the County of Marion in all respects and with the same validity as if they had been elected and commissioned, in and for the County of Marion.

The amendment was read the first time and under a suspension of the rules was read the second time, and lost.

Mr Hart then moved that the Bill be ordered engrossed and laid on the table subject to call.

Mr Bunch moved as a substitute for the motion of Mr Hart that the Bill be ordered Engrossed and made the Special Order for ten o'clock on Monday next.

Which motion was put and lost.

The question then recurring upon the motion of Mr Hart it was adopted and the Bill was ordered Engrossed and laid on the table subject to call.

HR 298 On motion of Mr House, House Bill No 298 "An act entitled an act to prevent Stock from running at large in Walnut Bayou" was then taken up and read the first time.

A Message from the House by their assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 4th 1875

Mr President. I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 320 "A Bill for an act to be entitled an act to legalize the levying of taxes" and herewith respectfully transmit the same for your favorable consideration

SB 320

Ed Reid Jr
1st assistant Clerk

On motion of Mr House, the rules were then suspended and House Bill No 298 was read the second time and made the Special Order for Eleven O'Clock on Monday next.

HR 298

Mr Norman by unanimous consent called up House Bill No 302. Substitute for Senate Bill No 257. which was read the first time.

HR 302

On motion of Mr Norman the rules were then suspended and the Bill was read the second time and adopted in lieu of the Original Bill.

Mr Norman then moved to amend the Bill by inserting the words "The State of" immediately before the word "Arkansas" in the Enacting clause thereof. but withdrew the same.

Mr Thower then renewed the motion of Mr Norman to amend the Bill by inserting the words "State of" before the word "Arkansas" in the Enacting clause.

The amendment was read the first time and under a suspension of the rules was read the second time and adopted, and the Bill as amended was on motion of Mr Norman made the Special order for half past ten O'clock on Monday next.

Mr Brown moved to adjourn but withdrew the same.

Mr Thower moved that the Senate take a recess until 7 O'clock P.M.

Mr Nart moved as a substitute for the motion that the Senate take a recess until 3 O'clock P.M.

Mr Bunch moved as a substitute for both motions that the Senate does now adjourn.

Which motion was lost

The question then recurring upon the motion of Mr Thower, it was adopted and the Senate then took

Saturday December 4th 1875

a recess until Seven O'Clock P.M.

After The Recess

The Senate met at Seven O'Clock P.M.

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Brown Fletcher Hart Haycock Hicks House Longhborough McCallum Norman Sullivan Thower Toomer Walker and Warren. 15

The following Senators failed to answer to their names at the call of the roll. Messrs Black Blackwell Campbell East Forney Grey Henderson Johnson Jones Pindall Reagan Sims Tobey Turner Wheeler and Williams 16

No Quorum Present

On motion of Mr Thower the Senate took a recess of ten minutes

After The Recess

The Senate was called to order at the expiration of ten minutes.

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Brown Campbell Fletcher Hart Haycock Hicks House Longhborough McCallum Norman Pindall Reagan Sullivan Thower Toomer Turner Walker and Warren 19

Those Senators absent at the call of the roll were Messrs Black Blackwell East Forney Grey Henderson Johnson Jones Sims Tobey Wheeler and Williams 12

A Quorum announced as Present

On motion of Mr Walker Mr Williams was excused from attendance this evening

On motion of Mr Hicks Mr Sims was excused from Excused from attendance this Evening

On motion of Mr Toomer, Mr

Wheeler was excused from attendance this evening.

Mr Turner Chairman of the Judiciary Committee submitted the following report. Mr President

The Committee on the Judiciary

S B 319 to whom was referred Senate Bill No 319 entitled "An act to amend section 4066 of Gantt's Digest concerning Mechanics liens and for other purposes" have had the same under consideration and ask leave to report the Bill back to the Senate and your Committee recommend that it do pass.

The report was received and on motion of Mr Thower Senate Bill No 319 was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 19 Nays none. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Haycock Hicks House Loughborough McCallum Norman Pindall Reagan Sullivan Thower Toomer Turner Walker Warren and Mr President 19

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Henderson Johnson Jones Sims Tobey Wheeler and Williams — 12

So the Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report. Mr President

Your Committee

S B 264 to whom was referred Senate Bill No 264 it being "an act to change and define the boundary line between the Counties of Boone and Marion and for other purposes" report the same correctly engrossed.

The report was received and on motion of Mr Hart Senate Bill No 264 was read the third time and placed on its passage.

Senator Norman was called to the chair

A Message from the House by its assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows.

Saturday December 4th 1875

Hall House of Representatives
December 4th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable Body of the passage by the House of
HR 85 HR 287 HR No 85 a Bill to be entitled "An act for the relief Alain Eub=
=anks and R M Grambling of Greene County." Also HR No 287 "An act to facilitate the collection of the State and County rev=
=enue of Hempstead County for the years 1872 and 1873." Also
HR 290 House R No 290 "An act to provide for the incorporation of fair
HR 291 associations and other purposes." Also HR No 291 a Bill to be entitled "An act to amend Section 5197 of Gantts Digest."
SB 278 Also SB No 278 a Bill to be entitled "An act to amend sec=
=tions 601 and 602 of Gantts Digest, and to limit the power of County Courts and Agents to make contracts and to regulate
SB 281 appropriations." Also Senate Bill No 281. a Bill for an act to be entitled "An act to repeal the Ku Klux laws of this State" and herewith respectfully transmit the same for your fav=
=orable consideration.

C C Reid Jr
Assistant Clerk

SB 264 The consideration of the passage of Senate Bill No 264 was res=
=umed and pending discussion of the same Mr East moved a call of the Senate.

The motion was adopted and the secretary called the roll when the following Senators answered to their names. Messrs Campbell East Fletcher Nutt Hicks McCallum Norman Pindall Reagan Thower Walker and Mr President 12

The following Senators failed to answer to their names at the call of the roll, Messrs Black Blackwell Brown Forney Grey Haycock Henderson House Johnson Jones Loughborough Sims Sullivan Tobey Toomer Turner War=
=ren Wheeler and Williams 19

No Quorum Present

On motion of Mr East the Sergeant at arms was then ordered to bring in the absent Senators.

Upon the return of the Sergeant at arms with Senators, by direction of the Chair=
=man the Secretary called the roll when the following Senators answered to their names, Messrs Campbell East Fletcher Nutt Hicks Loughborough McCallum Norman Pindall Reagan Sullivan Thower Toomer Walker

Warren and Mr President 16

The following Senators failed to answer to their names at the call of the roll. Messrs Black Blackwell Brown Forney Grey Henderson Haycock House Johnson Jones Sims Tobey Turner Wheeler and Williams 15

A Quorum announced as present

Mr East then moved the previous question

Mr Bunch claimed the floor

The Chair decided Mr East entitled to the floor.

Whereupon Mr Pindall appealed from the decision of the chair, and the Ayes and Nays being ordered on that motion, and the question being shall the ruling of the chair stand as the decision of the Senate? it was decided in the affirmative by the following vote.

Those Senators voting in the affirmative were Messrs Campbell East Fletcher Haycock Hart Loughborough Norman Reagan Toomer and Warren 10

Those Senators voting in the negative were Messrs Hicks M'Callum Pindall Sullivan Thrower Walker and Mr President 7

Those Senators absent and not voting were Mess Black Blackwell Brown Forney Grey Henderson House Johnson Jones Sims Tobey Turner Wheeler and Williams 14

And so the Senate sustained the ruling of the Chair.

The question then recurring upon the motion of Senator East. Shall the main question be now put? the same was carried. and the main question being Senate Bill No 264. was then placed upon its final passage.

SB 264

And the question being shall the Bill pass? it was decided in the affirmative, Ayes 16. Nays 1. absent and not voting 14

Those Senators voting in the affirmative were Messrs Campbell. East Fletcher Hart Haycock Hicks Loughborough M'Callum Norman Pindall Reagan Sullivan Thrower Toomer Walker and Warren 16

Saturday December 4th 1875

The Senator voting in the negative was President Bunch,

Those Senators absent and not voting were Messrs Black Blackwell Brown Forney Grey Henderson House Johnson Jones Sims Tobey Turner Wheeler and Williams 14

So The Bill Passed.

Mr Pindall Chairman of the joint Select committee of Conference submitted the following report.

Mr President.

SB 72 The committee of Conference on Senate Bill No 72, have had the same under consideration and direct me to report the Bill to the Senate with the recommendation that the Senate concur in the House amendment, and further direct me to report that the Committee recommend the passage of a Supplemental Bill, reducing the number of Clerks in the Secretary of States Office and increasing the number allowed to the Commissioner of State Lands, and directed the Chairman of the House Committee to introduce a Bill for that purpose.

The report was received and on motion of Mr Pindall, it together with the Bill and House amendment thereto, were made the Special order for ten and a half O'Clock on Monday next.

On motion of Mr Pindall the Senate then adjourned to ten O'Clock on Monday next.

Bradley Bunch
President of the Senate

Thomas W Newton
Secretary

Journal of the Senate
Monday December 6th 1875

The Senate met pursuant to adjournment at ten O'Clock A.M

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Brown Campbell Fletcher Hart Haycock Henderson Hicks House M Callum Norman Pindall Reagan Sims. Sullivan Tobey Toomer Warren Wheeler and Williams 20

The following Senators failed to answer to their names at the Call of the roll. Messrs Black Blackwell East Forney Grey Johnson Jones Loughborough Thurver Turner and Walker 11

A Quorum announced as present

Prayer by the Revd Mr Burns

The Journal of Saturday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary

Senators Loughborough Turner and Walker appeared within the bar of the Senate and answered to their names.

A Message from the House by its assistant Clerk who appeared within the Bar of the Senate and read as follows.

Hall House of Representatives
December 6th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable Body that the House has reconsidered its vote in refusing to pass Senate Bill No 252. "An act to amend the Laws regulating the sales of Lands of the estates of deceased persons" and respectfully ask a return of the Bill.

SB 252

C C Reid Jr
1st asst Clerk

Mr Campbell Chairman of the Committee on Enrolled Bills asked and obtained leave for the said Committee to sit during the Session of the Senate.

Monday December 6th 1875

On motion of Mr Thrower the request of the House of Representatives contained in the Message of this day, was complied with, and Senate Bill No 252 was returned.

SB 252

The Special Order for this hour being House Bill No 302, Substitute for Senate Bill No 257, was then on motion of Mr Norman taken up and the Bill was read the third time and placed on its final passage.

HB 302 Sub for SB 257

The question then being shall the Bill pass? it was decided in the affirmative Ayes 21 Nays none; absent and not voting 10.

Those Senators voting in the affirmative were Messrs Brown Fletcher Haycock Henderson Hicks Horne Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 21

Those Senators absent and not voting were Messrs Black, Blackwell Campbell East Forney Grey Hart Johnson Jones and Thrower 10

So The Bill Passed

On motion of Mr Norman, the next Special order for this hour was temporarily postponed, and

On motion of Mr Williams House Bill No 245 "An act to change the times of holding the Circuit Courts in the Second judicial Circuit" was then taken up and read the first time.

HB 245

On motion of Mr Williams the rules were then suspended and the Bill was read the second time

Mr Brown then moved to amend the Bill by striking out the word "A" in the title of the Bill, and inserting in lieu thereof the word "An". Also amend by inserting the words "of laws" after the word "parts" in the last section thereof.

The amendments were read the first time, and under a suspension of the rules, were read the second time and adopted.

The Bill as amended was then on motion of Mr Williams referred to the Committee on County and County lines.

The Special Order for ten o'clock and thirty minutes this day,
SB 72 being the amendment of the House to Senate Bill No 72 "An act to fix the number and salaries of Clerks and Employees of the different State Departments" reported by the joint Committee of Conference, it being the amendment heretofore now concurred in by the Senate, in the words following, to wit; Amend Section 5 by striking out after the word "and" in the 5th line down to include the word "three" in line "6" and insert the following. "Fifty dollars per month; one Second Clerk, at a Salary of one hundred and twenty five dollars per month and two" was then read the third time and placed on its passage.

The question then
SB 72 being, shall the Senate concur in the amendment of the House to SB No 72? it was decided in the affirmative. Ayes 21. Nays none. absent and not voting 10.

Those Senators voting in the affirmative were Messrs Fletcher Haycock Henderson Hicks House Loughborough M Callum Norman Pindall Reagan Sims Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 21

Those Senators absent and not voting were Messrs Black Blackwell Brown. Campbell East Forney Grey Hart Johnson and Jones 10

And so the Senate concurred in the amendment of the House to Senate Bill No 72.

On motion of Mr Warren the Hon Mr Smith of Union County was invited to a seat within the bar of the Senate.

HR 100 On motion of Mr Pindall House Bill No 100 "An act to amend Section 54 of Gantts Digest" was taken up and read the first time, and on a suspension of the rules was read the second time and on motion of Mr Loughborough was referred to the Committee on Agriculture.

On motion of Mr Loughborough
HR 235 House Bill No 235. "An act to provide for the clothing and other personal expenses of the pupils of the benevolent Institutions of this State" was taken up and read the first time, and placed in its order

Monday December 6th 1875

on the calender.

On motion of Mr Haycock House

HR 218 Bill No 218 "An act to amend an act entitled an act fixing the price of State Lands and for other purposes" was then taken up and read the first time.

On motion of Mr Haycock the rules were then suspended and the Bill was read the second time and referred to the Committee on State Lands.

Mr Thower moved that the Senate reconsider the vote by which the amendment to House Bill No 216 was adopted.

Which motion was adopted and the vote was reconsidered.

Mr Hicks the Senator moving the

HR 216 amendment to House Bill No 216 then withdrew the same.

On motion of Mr Thower House Bill No 216 "An act in relation to Swamp Lands" was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 19. Nays 2. absent and not voting 10

Those Senators voting in the affirmative were Messrs Brown Haycock Henderson Hicks Loughborough M Callum Norman Rindall Reagan Sims Sullivan Thower Toomer Turner Walker Warren Wheeler Williams and Mr President 19.

The Senators voting in the negative were Messrs House and Tobey 2

Those Senators absent and not voting were Messrs Black. Blackwell Campbell East Fletcher Forney Grey Hart Johnson & Jones 10

So The Bill Passed

HR 298 The next Special Order being House Bill No 298 "An act to prevent Stock from running at large in Walnut Bend" was then taken up and on motion of Mr Brown the Bill was read the third time and placed on its passage.

The question then being shall

the Bill pass; it was decided in the affirmative, Ayes 16. Nays 6. absent and not voting 9.

Those Senators voting in the affirmative were Messrs Brown Fletcher Henderson House Norman Sims Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 16

Those Senators voting in the negative were Messrs Haycock Hicks Lough borough M Callum Pindall and Reagan 6

Those Senators absent and not voting were Messrs Black Blackwell Campbell East Forney Grey Hart Johnson and Jones 9.

So The Bill Passed

A Message from the House by its assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows. Hall House of Representatives December 6th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 287. "A Bill for an act to appropriate money to furnish the Arkansas Industrial University building and for other purposes" and herewith respectfully transmit the same for your favorable Consideration. C C Reid Jr 1st asst Clerk

SB 287

Mr Brown by unanimous consent called up House Bill No 85. "An act for the relief of Alvin Eubanks and Bill Grambling and for other purposes" which was read the first time. On motion of Mr Brown the rules were then suspended and the Bill was read the second time and referred to the Committee on State Lands.

HB 85

Mr Pindall by unanimous consent called up House Bill No 290 "An act to provide for the incorporation of Fair Associations and for other purposes" which was read the first time. On motion of Mr Pindall the rules were then suspended and the

HB 290

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Bill was read the second time, and on motion of Mr Hicks was referred to the Committee on Agriculture.

Senator East appeared within the bar of the Senate and answered to his name.

Under the order of business Mr Turner Chairman of the Judiciary Committee submitted the following report Mr President.

SB 316

The Committee on the Judiciary to whom was referred Senate Bill No 316 entitled "an act to incorporate the Lake Chicot Levee Company and for other purposes" have had the same under consideration and the Committee beg leave to state that the Bill proposes to create a Corporation composed of the owners of the lands lying in the bed of Lake Chicot as Corporators "for the purpose of building, repairing and grading a levee to protect their Lands from the overflow of the Mississippi River".

This corporation would in the opinion of your Committee be special and private in its nature and purpose being intended for the benefit of a small body of land owners, the improvement of whose property would be principally advantageous to them, and only incidentally and remotely beneficial to others. Your Committee are therefore of opinion that the Bill proposes the creation of a special and private corporation, not for charitable, educational, penal or reformatory purposes under the patronage and control of the State, but for the special benefit and use of the Corporators, and to be administered under their exclusive control and direction, and is consequently expressly prohibited by the second section of the twelfth article of the Constitution which reads as follows; "The General Assembly shall pass no special act conferring corporate powers, except for charitable, educational, penal or reformatory purposes, where the corporations created are to be and remain under the patronage and control of the State."

For the reason then that the passage of the law would be in violation of the foregoing section of the Constitution your Committee ask leave to report the Bill back with the recommendation that it do not pass.

The report was received and adopted and Senate Bill No 316 was thereby rejected.

Mr Turner Chairman of the Judiciary Committee

also submitted the following report. Mr President.

HR 252

The Committee on the Judiciary to whom was referred House Bill No 252 entitled "An act to Incorporate the Arkansas Home Institute" have had the same under consideration and being of opinion that the passage of the Bill would be in violation of the second section of the twelfth Article of the Constitution, your Committee ask leave to report the bill back to the Senate and they recommend that it do not pass.

The report of the Committee was received and adopted, and House Bill No 252 was thereby rejected.

Mr Turner Chairman of the Judiciary Committee also submitted a further report as follows.

Mr President.

HR 225

The Committee on the Judiciary to whom was referred House Bill No 225 entitled "An act to establish a Court of Common Pleas in the Counties therein named" have had the same under consideration and ask leave to report the Bill back with the following amendments. In the sixth line of section 5. strike out the words "six men" and insert the words "twelve men" and immediately thereafter add the words "unless the parties agree to a less number".

Amend also by striking out all of the 8th after the word "receive" and insert in lieu thereof the words the same fees, and shall be paid in the same way as are allowed to jurors in the Circuit Court," and as thus amended your Committee do recommend the passage of the Bill.

The report was received and the amendments of the Committee to House Bill No 225 were read the first time, and under a suspension of the rules were read the second time and adopted.

Mr Hicks then moved to amend the Bill by adding the word "Prairie" immediately after the word "Mississippi" in the first section thereof.

The amendment was read the first time, and the rules being suspended was read the second time and adopted.

Mr Henderson then moved to amend the Bill by adding the name

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"Jackson" immediately after the word "Prairie" in the first section thereof.

The amendment was read the first time and under a suspension of the rules was read a second time and adopted.

The Bill as thus amended was then placed in its order on the Calender.

The regular order of business was then suspended and

SB 324 Mr Wheeler by unanimous consent introduced a Bill of which previous notice had not been given entitled "A Bill for an act to authorize the State Board of Finance to settle with W Z Mayes and Company"

Which was read the first time, and the rules being suspended was read a second time and on motion of Mr Loughborough was referred to the Committee on Finance.

Mr Toomer Chairman of Select Committee submitted the following report. Mr President

A majority of your

SB 288 Select Committee to whom was referred Senate Bill No 288 it being a Bill entitled "An act for the relief of J A Marr, A Marr, W J Parks and Abram B Maxwell" have had the same under consideration and beg leave to report the same back to the Senate with a recommendation that it do pass.

The report was received

Mr Pindall from the minority of the Committee to whom

SB 288 was referred Senate Bill No 288 submitted the following minority report. Mr President

Not being able to agree with the majority of your Committee appointed to consider Senate Bill No 288 entitled "A Bill for the relief of J A Marr et al, ask leave to submit a minority report. The Bill has a number of whereasses stating the grounds upon which the relief is claimed. It is claimed in the whereas-es that one J A Marr was indicted in the Circuit Court of Scott County for the offense of arson committed during the late rebellion, and the parties asking relief were his securities for his appearance in Court to answer the indictment. That Marr made default

SB 288

and judgement was rendered against the securities on the recognizance and the securities had the debt to pay - and now ask that the amount be paid them by the State. This claim is based upon the fact that the General Assembly amnestied these offences. Whilst this act directed the Prosecuting Attorneys to dismiss indictments for these offences, it did not excuse the appearance of defendants in pursuance of their recognizance - indeed it may be a question whether the Court could dismiss, or make any order in a criminal case of this character without the presence of the defendants except such as might be necessary to bring the defendants into Court.

The Court must ascertain that the offence was committed during the war - before the indictment could be dismissed - and the Court could not take any steps to ascertain that fact without the presence of the defendant.

Aside from this, the only evidence before the Committee was the transcript showing a judgement was rendered. It does not appear from this that the indictment was for an offence committed during the war - nor when the indictment was found - nor the offence charged, and it does not appear that the amount was ever paid into the State Treasury. The only evidence of these facts are the statements of the Senator from Gell, who makes the statements not from his own knowledge, but from what men he deems reliable told him. If the State should pay this claim under any circumstances (as it appears from the whereases that they went the defendants security for his appearance at Court and the defendant did not attend but made default. The securities did not comply with the condition of their obligations). The evidence before the Committee is not sufficient to establish the facts as stated in the whereases.

The matter is susceptible of legal and satisfactory proof - and until that evidence is produced the General Assembly should not pass the Bill.

I would recommend that the bill do not pass.

The report was received and the question then recurring upon the adoption of the same.

On motion of Mr Toomer its further consideration was post-poned until half past two O'clock this evening.

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SB 324 The Special Order for twelve O'clock this day being Senate Bill No 324 "An act to fix the Salary of the County and probate Judge of Woodruff County" was then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 21. Nays none absent and not voting 10.

Those Senators voting in the affirmative were Messrs East Fletcher Haycock Henderson Hicks House Loughborough M Callum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 21

Those Senators absent and not voting were Mess Black Blackwell Brown Campbell Forney Grey Hart Johnson Jones and Shover 10

So The Bill Passed

HR 226 On motion of Mr Sullivan House Bill No 226 "An act to provide for the Arkansas Institute for the Blind" was then taken up and the Bill was read the first time.

On motion of Mr Loughborough the rules were then suspended and the Bill was read the second time and referred to the Committee on Education.

Under the order of business Mr Henderson Chairman of the Committee on Agriculture submitted the following report. Mr President

HR 241 Your committee to whom was referred House Bill No 241 "An act to prevent the buying and selling of Corn Rye wheat oats or Cotton within certain hours" have had the same under consideration and respectfully asked leave to report the same back to the Senate and recommend its passage.

The report of the Committee was received and on motion of Mr Warren House Bill No 241 was read a third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the negative Ayes 9, Nays 15. absent and not voting 7.

Those Senators voting in the affirmative were Messrs Fletcher Henderson Hicks House Norman Pridall Sullivan Tobey and Warren 9.

Those Senators voting in the negative were Messrs Brown Campbell East Haycock Loughborough McCallum Reagan Sims Thower Toomer Turner Walker Wheeler Williams and Mr President 15

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey Hart Johnson and Jones 7

So The Senate rejected the Bill

Mr Hicks Chairman of the Committee on the Penitentiary submitted the following report.

Mr President.

The Committee on the Penitentiary beg leave to report that they have investigated that Institution as thoroughly as their limited time and opportunities permitted. They visited the prison in person and went through every part of it freely conversed with the inmates, and inspected the cells, Hospital, Kitchen and food.

They also examined two ex convicts under oath. From all this evidence and personal examination, the Committee conclude that the inmates are humanely treated, and reasonably provided for.

The Committee made no discoveries tending to show either improper or brutal conduct on the part of the Lessee Col Zeb Vance — and if instances of the kind have occurred (of which however they have no knowledge) your Committee are satisfied they were without his knowledge, consent or approbation. Your committee are deeply impressed with the fact that there is a pressing necessity for an enlargement of the Penitentiary grounds, and the building of additional accommodations in the way of cells and warming apparatus. Early action on these important points is urged upon the General Assembly.

With these additional improvements, your Committee whose names are hereto affixed, are unanimously of the opinion, that there would

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be little cause of complaint under the present management. When it is considered that as a general thing the worst men of the worst class of the community are confined in the State Prison, it is essential that rigid rules and rigid discipline should be enforced. The committee found nothing in this respect obnoxious to criticism.

Having discharged the duties imposed upon to the best of their ability, considering the circumstances by which they were surrounded, they respectfully submit this the result of their investigation to the consideration of the Senate.

The report was received

A Message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows. Hall House of Representatives Decr 6th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 261 "An act to authorize the Commissioner of State Lands to make deeds in certain cases." Also H R No 303 "A Bill for an act to be entitled an act supplemental to an act entitled an act to fix the number and salaries of clerks and employees in the different State Departments" and herewith respectfully transmit the same for your favorable consideration.

SB 261

HR 303

C C Reid Jr
1st asst Clerk

On motion of Mr Warren the Senate then took a recess until two o'clock and thirty minutes P.M.

After the Recess

The Senate met at two o'clock and thirty minutes P.M.

The Secretary called the roll and the following Senators answered to their names, Messrs Brown Campbell Fletcher Hart Henderson Hicks House Loughborough Norman Pindall Reagan Sims Sullivan Walker Wheeler Williams and Mr President 17

The following

Senators failed to answer to their names at the call of the roll, Messrs Black Blackwell East Forney Grey Haycock Johnson Jones M'Callum Thower Tobey Toomer Turner and Warren 14

A Quorum present

Mr Campbell chairman of the Committee on Enrolled Bills submitted the following report

Mr President.

The Committee on Enrollments have examin-
SB 74 -ed Senate Bill No 74 "An act to maintain a system of
SB 310 common free Schools. Senate Bill No 310 "An act to change the name of Clayton County to Clay" and
SB 320 Senate Bill No 320 and have instructed me to report the said Bills correctly enrolled. Each of said Bills has been signed by the Speaker of the House President of the Senate and delivered to his Excellency the Governor for his consideration.

The report was received

On motion of Mr Loughborough the Special order for this hour was temporarily postponed.

Mr Hicks acting Chairman of the Committee on Rail roads submitted the following report

Mr President.

Your Committee on Railroads have had
SB 153 Senate Bill No 153 under consideration and recomm-
-end that the blank in the 11th line be filled by the word "first", in 12th line "June", in 20th line first blank "15th", second blank by "June", and that following be added as additional sections to the Bill.

Section 2 Any such corporation which shall neglect to make the report as above required, shall be liable to a penalty of one thousand dollars to be sued for in the name of the State.

Section 3. The State shall have a lien upon all railroads of said corporations and appurtenances and stock therein, for all penalties, taxes and dues which may accrue to the State from said corporat-
-ions, which lien shall take precedence of all dem-
-ands, judgements or decrees against said corporations, and the Citizens of this State shall have a lien upon all personal property of said corporation to the amo-

Monday December 6th 1875

-mut of one hundred dollars, originally contracted in this State, which after said lien of the State, shall take precedence of all other debts, demands, judgements or decrees, liens or Mortgages, against said corporations.

As thus amended we recommend that the Bill do pass.

The report was received and the amendments of the committee to Senate Bill No 153 were read the first time and the Bill and amendments were placed on the Calender.

SB 153

The Special order for two and a half O'clock being the Consideration of the adoption of the minority report on Senate Bill No 288, was then taken up and after debate thereon, the question being shall the minority report be adopted? it was adopted and Senate Bill No 288 was thereby rejected.

SB 288

Mr Walker asked and obtained leave for a suspension of the rules, and moved to reconsider the vote by which House Bill No. 241, was rejected.

HR 241

Which motion was agreed to.

Mr Walker then moved to reconsider the vote by which the Bill was placed on its 3d Reading.

Which motion was adopted and the Bill was recommitted and referred to the committee on Agriculture

By unanimous consent Mr Williams called up House Bill No. 287, entitled. "An act to facilitate the collection of the State and County Revenue of Hempstead County, for the years of 1872 and 1873.

HR 287

Which was Read the first time, and upon motion of Mr Williams the rules were suspended and the Bill Read the Second time, and referred to the Committee on finance.

By unanimous consent Mr Pindall called up House Bill No. 303, entitled, "An act to be entitled an act to fix the number and salaries of clerks and employees in the different State Departments."

HR 303

Which was read

the first time.

On motion of Mr Hicks the rules were then suspended and the Bill read the second time. and made the special order for to morrow at 11 o'clock for a third reading

By unanimous consent Mr Fletcher

HR 272 called up House Bill No 272. entitled. "An act to incorporate the National Charity Hospital of Hot Springs"

Which was read the second time.

And on motion of Mr Hicks was referred to the committee on corporations.

Mr East chairman of the Committee on Corporations submitted the following report:

Mr President:

Your Committee on Cor=

=porations to whom was referred Senate Bill

SB 267 267, entitled a Bill for an act to authorize and regulate the business of banking in this State have had the same under consideration, and ask leave to report the same back with the following amendments. Strike out the whole of Section 20. insert immediately after the word July in the 8th line of Sec. (53) 5½ the words "or Independence day, and the Twenty fifth day of December or Christmas day." And as so amended, your committee recommend that the bill do pass.

The report of the committee was received,

And the amendments were read the first time,

And under suspension of the rules the amendments were read the second time.

And adopted.

And the Bill as amended was ordered engrossed and laid on the table subject to call.

Under the order of business

HR 256 House Bill No 256. entitled, "An act to

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fix the time of holding the County and Probate Courts of Conway County"

Was taken up and read the first time,

On motion of Mr Campbell the rules were then suspended and the Bill was read the second time and made the special order for 2½ o'clock on tomorrow.

NB 291 House Bill No. 291 entitled. "An act to amend Section 5197 of Gantts Digest"

Was then taken up and read the first time, and placed on the calendar.

SB 309 Mr Pindall called up Senate Bill No. 309. entitled. "An act to fix the Salary of the County and Probate Judge of Lincoln County"

The report of the Committee on County and County lines being adverse to the bill.

Mr Pindall moved that the report be laid on the table, and that the Bill be placed on its third reading.

Which motion was adopted.

The Bill was then read the third time, and placed on its final passage, The question then being "shall the Bill pass." it was decided in the affirmative. Ayes 14

Nays 8,

Absent and not voting 9.

Those Senators voting in the affirmative were Messrs. Brown, Campbell, East, Fletcher Hart, Haycock, Henderson, McCallum, Pindall, Tobey, Turner, Walker, Warren, and Williams. 14

Those Senators voting in the negative were.

Messrs Hicks, Norman, Reagan, Sims, Sullivan, Toomer, Wheeler, and Mr President. 8.

Those Senators absent and not voting were

Messrs. Black, Blackwell, Forney, Grey, Horn, Johnson, Jones, Loughborough, and Toomer 9.

Monday Decr 6th 1875

So the Bill passed.

On motion of Mr Reagan the Senate then adjourned.

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Journal of the Senate
Tuesday Decr 7th 1875

The Senate met pursuant to adjournment at 10 o'clock A.M

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Brown Campbell Fletcher Henderson Horne Loughborough McCallum Norman Reagan Sims Sullivan Toomer Turner Walker Warren Wheeler and Williams 18

Those Senators absent at the Call of the roll were Messrs Black Blackwell East Forney Grey Hart Haycock Hicks Johnson Jones Pindall Thower and Tobey 13

A Quorum announced as present

Prayer by the Revd T R Welsh

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Senators East, Hart and Hicks appeared within the bar of the Senate and answered to their names

Tuesday December 7th 1875

A Message from the House by its assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 7th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage
SB 264 by the House of Senate Bill No 264 "An act to change the boundary line between the Counties of Marion and Boone and for other purposes" and herewith respectfully transmit the same for your favorable consideration.

C C Reid Jr
1st Asst Clerk

Mr Henderson Chairman of the Committee on agriculture submitted the following report by unanimous consent. Mr President

Your committee to whom was
HR 241 referred House Bill No 241 have had the same under consideration and ask leave to make the following amendments. Strike out in line 2nd of preamble the words "corn, wheat, rye, oats and". Strike out in Section 1 in line 3 the words "corn wheat rye oats and or". Strike out in Section 3 in line 2 after the word "selling" the words "Either or any of" and the letter "s" in the word "articles", and after the word "Bill" in 8th line in same section. Strike out the remaining part of the Section, and after the amendments are adopted we would respectfully recommend the passage of the Bill.

The report was received and the amendments offered by the Committee were read the first time, and under a suspension of the rules were read a second time and adopted.

A message from the Governor by his private Secretary C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Dec 6th 1875

To the President of the Senate of Arkansas and the members thereof

Gentlemen

I have approved and
SB 320 signed Senate Bill No 320 "An act to be entitled an act
SB 310 to legalize the levying of taxes". Also Senate Bill No 310

"An act to change the name of Clayton County to Clay" and I herewith return the same. Very Respectfully
A H Garland
Governor of Arkansas

Mr Loughborough then offered the following amendment to
HR 241 House Bill No 241. Amend by inserting the words "in quantities less than 100 pounds" immediately after the word "Cotton" wherever it occurs in the Bill.

The amendment was read the first time and the rules being suspended was read a second time.

Mr East then moved to amend the amendment as follows. Mr President,

I move as a substitute for the amendment to insert the word "unbailed" before the word "Cotton" in the amendment.

The amendment to the amendment was read the first time, and under a suspension of the rules was read a second time.

On motion of Mr Warren the Special Order for this hour was then postponed and the Consideration of the amendments to H Bill No 241 was Continued.

The question then being on the adoption of the amendment to the amendment, the same was rejected.

The question then recurring on the adoption of the amendment to the Bill, the same was rejected.

Mr Loughborough then offered a further amendment to the Bill as follows. Amend by adding to Section 2. "Provided that no person punished under the provisions of this act shall be held to answer for the same offense in any other proceeding."

The amendment was read the first time, and under a suspension of the rules was read the second time and lost.

On motion of Mr Warren House Bill No 241 "An act to prevent the buying or selling of Cotton within certain hours" was then read the third time and placed on its passage.

The question then being shall the

Tuesday December 7th 1875

Bill pass? it was decided in the affirmative Ayes 15 Nays 6, absent and not voting 10.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Hart Henderson Hicks House M'Callum Norman Rindall Sims Sullivan Turner Walker Warren and Williams 15

Those Senators voting in the negative were Messrs Brown East Loughborough Reagan Wheeler and Mr President 6

Those Senators absent and not voting were Mess Black Blackwell Forney Grey Haycock Johnson Jones Thower Tobey and Toomer 10

So The Bill Passed

Mr East then moved that the Special Order be further postponed.

Which was not agreed to

HR 303 The Special Order for 11 O'clock this day, being House Bill No 303 "An act supplemental to an act entitled an act to fix the number and salaries of Clerks and employees in the different State Departments" was then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative Ayes 18 Nays 1, absent and not voting 12.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Hicks House Loughborough M'Callum Norman Rindall Reagan Sims Sullivan Turner, Walker Warren Wheeler and Mr President 18

The Senator voting in the negative was Mr East 1

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey, Haycok Henderson Johnson Jones Thower Tobey Toomer and Williams 12

So The Bill Passed

Mr Brown Chairman of the Committee on Engrossed Bills submitted the following report. Mr President

Your Committee

SB 267 to whom was referred Senate Bill No 267 it being "an act to regulate Banking in this State" report the same correctly engrossed.

The report was received

Mr Pindall appeared within the bar of the Senate and answered to his name.

On motion of Mr Pindall the leave of absence for Mr Black was extended to the 10th December 1875.

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report.
Mr President.

The Committee on Enrollments have examined

SB 278 Senate Bill No 278 an act to amend sections 601 and 602 of Gantts Digest," and an act to amend an

SB 300 act to regulate the time of holding the Courts in the tenth

SJm 7 Judicial Circuit," also Senate Memorial No 7 to Congress to inaugurate a national system of levees." and have instructed me to report the aforesaid Bills and memorial correctly enrolled. Each of said Bills and memorial has been signed by the Speaker of the House and President of the Senate, and delivered to his Excellency the Governor for his consideration.

The report was received

On motion of Mr Fletcher the leave of absence of Mr Johnson was extended indefinitely.

On motion of Mr Fletcher the Senate went into consideration of the message of the Governor, of the third instant, presenting the names of J W Faust and J Trezevant Jr for confirmation as Trustees on the Board of Trustees of the Arkansas State Lunatic Asylum.

On motion of Mr Pindall the Senate went into Executive Session to advise and consider the nominations of the Governor in his appointment of two Trustees on the Board of Trustees of the Arkansas State Lunatic Asylum. Mr Pindall then moved that the

Tuesday December 7th 1875

nomination by the Governor of J W Faust be confirmed and that motion being taken by ballot, the same was confirmed by the following vote.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart House Loughborough M Callum Norman Pindall Reagan Sims Sullivan Turner Wheeler and Mr President 16

None voting in the negative

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey Haycock Henderson Hicks Johnson Jones Thower Tobey Tooner Walker Warren Williams 15

So the nomination of J W Faust was Confirmed

Mr Turner then moved that the nomination by the Governor of J T Tezevant Jr be confirmed, and that motion being taken by ballot the same was confirmed by the following vote.

Those Senators voting in the affirmative were Messr Brown Campbell East Fletcher Hart House Loughborough M Callum Norman Pindall Reagan Sims Sullivan Turner Wheeler and Mr President 16

None voting in the negative

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey Haycock Henderson Hicks Johnson Jones Thower Tobey Tooner Walker Warren and Williams 15

So the nomination of J T Tezevant Jr was confirmed

A Message from the Governor by his private Secretary Col C H Wood who appeared within the bar of the Senate and read as follows.

State of Arkansas
Executive Office
Little Rock Dec 7th 1875

To the Hon President of the Senate of Arkansas and the members thereof

Gentlemen

I have approved and signed Senate Bill No 74 "An act to be entitled an act to maintain a System of free common Schools for the State of Arkansas." Also Senate Bill No 278 "An act to be entitled

SB 74

SB 278

an act to amend sections six hundred and one (601) and six hundred and two (602) Gantts Digest and to limit the power of County Courts and agents to make contracts and to regulate appropriations". Also Senate Memorial No 7. Also Senate Bill No 300 An act to amend an act to fix the time of holding the Circuit Courts in the tenth (10th) Judicial District" and I herewith return the same.

SM 7

SB 300

Very Respectfully
A H Garland
Governor of Arkansas

On motion of Mr Pindall the Executive session of the Senate was then dissolved, and the regular order of business was resumed.

On motion of Mr Fletcher, the Resolution introduced by Mr Warren on the 3rd instant, "a resolution to hold a joint session of the General assembly for the purpose of electing a State Superintendant of Public Instruction" was then taken up.

Mr Pindall then moved to fill the blank in the Resolution with the words "Eleven O'Clok A M Thursday the 9th".

Mr Hicks then moved to amend the motion of Mr Pindall by striking out the words "Eleven O'Clock A M" and inserting the words "Seven O'Clock P M" in lieu thereof

Which motion was put and lost

The question then recurring upon the motion of Mr Pindall, it was adopted, and the Resolution as thus amended and perfected, was on motion of Mr Loughborough adopted.

Under the order of business Mr East Chairman of the Committee on Corporations submitted the following report. Mr President

Your committee on corporations to whom was referred House Bill No 272 entitled an act to Incorporate the National Charity Hospital of Hot Springs" have had the same under consideration and ask leave to report the same back to the Senate with the following amendments. First, in 1st Section, fourth line, strike out the words "and assigns" and insert word "and" before word "third" in third line.

H B 272

Second, Add the following to section one, "provided that said corporation shall be and remain under the patronage and control of the State." provided further that the State shall

H. B. 272 never be held or made liable for any debt or debts of said corporation. Third. Strike out word "or" in 5th line of Section 3 and insert word "one". Fourth. Strike out all of Section four after the word "Trustees" in eleventh line and insert the following; "The Treasurer under the direction of the Trustees shall have charge of all monies of the Corporation, and the keeping of the accounts of the same, but no money shall be paid out of the Treasury except upon the order of the Secretary; approved by the President.

The report was received and the amendments of the Committee to House Bill No 272 were read the first time.

On motion of Mr McCallum the rules were then suspended and the amendments were read the second time and adopted, and the Bill as amended was made the Special Order for tomorrow at ten O'Clock and thirty minutes.

Mr House Chairman of the Committee on Education submitted the following report. Mr President

H.R 226 Your Committee to whom was referred House Bill No 226, "An act to provide for the Arkansas Institute for the Blind" have had the same under consideration, and herewith respectfully return the same and recommend its passage.

The report was received and adopted and on motion House Bill No 226 was read the third time and placed on its passage.

On motion of Mr Rudall the further consideration of the Bill was postponed until Thursday next.

Mr Loughborough Chairman of the Committee on Finance submitted the following report.
Mr President

SB 308 The Committee on Finance to whom was referred Senate Bill No 308. "An act to repeal Sections 3024 and 3025 of Gantts Digest" have the honor to report that they have had the same under consideration and herewith return the Bill with a recommendation that it do pass.

The report was received and on motion of Mr Loughborough Senate Bill No 308 was read the third time and placed on its final passage.

The question

then being shall the Bill pass? it was decided in the affirmative, Ayes 17. Nays 1. absent and not voting 13.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Henderson House Loughborough Rindall Reagan Sims Sullivan Tobey Toomer Turner Warren Wheeler Williams and Mr President 17

The Senator voting in the negative was Mr Hicks 1

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Hart Haycock Johnson Jones McCallum Norman Thower and Walker 13

So The Bill Passed

Mr Loughborough Chairman of the Finance Committee submitted a further report as follows. Mr President.

HR 258

The Committee on Finance to whom was referred House Bill No 258. "An act to prevent discriminations of County warrants or County Script" have the honor to report that they have had the same under consideration and herewith return the Bill together with the following amendment;
Add to section 1. "Provided that nothing in this act shall authorize the collector to receive scrip issued since the adoption of the Constitution, in payment of the tax levied to pay the indebtedness existing before the adoption of the Constitution". and as thus amended, a majority of the Committee recommend that the Bill do pass.

The report was received and the amendment of the Committee was read the first time and under a suspension of the rules was read a second time and adopted, and the Bill as amended was placed in its order on the Calender.

HB 256

Mr Campbell by unanimous consent called up the Special order for two and a half O'clock this P.M. being House Bill No 256 entitled "an act to fix the time of holding the County and Probate Courts of Conway County" and on motion the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 19. Nays none. absent and not voting 12.

Those Senators

Tuesday December 7th 1875

voting in the affirmative were Messrs Brown Campbell Fletcher Henderson Hicks House Loughborough M Callum Pindall Reagan Sims Sullivan Tobey Tooner Turner Warren Wheeler Williams and Mr President 19

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Hart Haycock Johnson Jones Norman Thower and Walker 12

So The Bill Passed

SB 153 Under the order of business Senate Bill No 153 was taken up and on motion of Mr Hicks, it together with the amendments were laid on the table.

HB 235 House Bill No 235 entitled "An act to provide for the clothing and other personal expenses of the pupils of the Benevolent Institutions of the State and to provide for the manner of their removal to and from said Institutions in certain cases therein specified, and the manner of collecting the expenses therefor" was then taken up and read the second time, and on motion of Mr Pindall was referred to the Committee on Finance.

A message from the House by its assistant Clerk who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 7th 1875

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of Sub Senate Bill No 285 "A Bill for an act to aid the construction of the North West Arkansas Railroad" and herewith respectfully return the same for your favorable consideration

SB 285

C C Reid Jr
1st Asst Clerk

HB 291 House Bill No 291 entitled "An act to amend section 5197 of Gantts Digest" was then taken up and read the second time and on motion of Mr Pindall was referred to the Committee on State Lands.

HB 225 House Bill No 225 entitled "An act to establish a Court of Common Pleas in the Counties therein named" was

then taken up and the Bill was read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative, Ayes 20. Nays 3. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Henderson Hicks House Loughborough McCallum Reagan Sims Sullivan Thower Tobey Turner Walker Warren Wheeler Williams Hart and Mr President 20

Those Senators voting in the negative were Messrs East Haycock and Pindall 3

Those Senators absent and not voting were Messrs Black Blackwell Forney Greg Johnson Jones Norman and Tooner 8.

So the Bill Passed

Mr Campbell asked and obtained leave to have the following explanation of his vote on House Bill No 225, spread on the Journal. Mr President.

I vote for this Bill from a sense of Representative duty, as I understand that duty. My individual opinion is that this law will have a tendency to retard and multiply litigation instead of lessening business in our circuit Courts.

Campbell.

On motion of Mr Warren the Senate then adjourned.

Bradley Burch
President of the Senate

Thomas H. Newlin
Secretary

Journal of the Senate
Wednesday Dec 8th 1875

The Senate met pursuant to adjournment at 10. A.M

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs Brown Campbell Flecher Hart Haycock Henderson House M Callum Norman Pindall Reagan Sims Sullivan Thower Tobey Walker Warren Wheeler and Williams 20

The Senators absent at the call of the roll were Messrs Black Blackwell East Forney Grey Hicks Johnson Jones Loughborough Toomer and Turner 11

A Quorum announced as present

The Journal of yesterday was then read by the Secretary and there being no objection thereto it was approved and signed by the President and Secretary.

Senators East, Hicks, Loughborough Toomer and Turner appeared within the bar of the Senate and answered to their names.

Senator Loughborough presented to the Senate the following communication addressed to his Excellency the Governor.

Office of Light House Inspector
Fourteenth District
Cincinnati Ohio Dec 6th 1875

To The Honorable
A H Garland, Governor of
the State of Arkansas

Sir

I have the honor to inform you that under the provisions of an act of Congress, approved June twenty third Eighteen hundred and Seventy four entitled "An act making appropriations for sundry civil Expenses of the Government for the fiscal year ending June twentieth Eighteen hundred and Seventy five" and for other purposes" and of an act of Congress, approved March third Eighteen hundred and seventy five, making appropriations for the same purposes for the fiscal year ending June twentieth Eighteen hundred and Seventy Six, a number of Government signal lights and other aids to navigation have been Established on the

banks of the Mississippi River, in the State of Arkansas.

These Lights and other aids to navigation, have at certain points been injured, and lanterns have been broken, and lights been extinguished by malicious persons; thus endangering Steamers and other vessels navigating the Mississippi River. I am therefore directed by the Light House Board to request that the matter of protecting these lights and aids to navigation may be brought before the Legislatures of the Several States interested, to the end that proper laws may be passed providing for their protection.

I have the honor to be very respectfully your obedient Servant

C H Rockwell
Lieutenant U S Navy and L H Inspector 14th District.

Which was read and on motion of Mr Loughborough was referred to the Committee on Federal Relations with instructions to report by Bill or otherwise at the earliest possible day.

Under the order of business Mr M'Callum Chairman of the Committee on County and County lines submitted the following report. Mr President.

Your Committee on County

HR 265 and County lines" to which was referred House Bill No 265, entitled "A act to Change the times of holding the Circuit Courts in the Second Judicial Circuit" have had the same under consideration; and find that the Representatives from all the Counties except Crittenden favor the passage of the Bill.

I am instructed by said Committee to return the Bill and recommend that it do pass.

The report was received.

Mr Brown then moved to reconsider the vote by which the amendments to House Bill No 265 were adopted.

Which motion was adopted and the vote was reconsidered.

Mr Brown by unanimous consent then withdrew the amendments to the Bill, which were as follows, to wit; Strike out "A" in the title of the Bill and insert the word "An" in lieu thereof. and in the repealing clause insert the words "of laws" after the word "parts"

Mr Haycock then offered the following amendment to the Bill. "Strike out all in

HR 265 Section 1st in reference to the change of time in Crittenden County and insert that "the Circuit Courts of Crittenden shall begin on the 1st Mondays of January and July of Each year"

The amendment was read the first time, and under a suspension of the rules was read a second time and rejected.

On motion of Mr Brown House Bill No 265 was then read the third time and placed on its final passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 21. Nays 1. absent and not voting 9.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Henderson Hicks Loughborough McCallum Norman Pindall Reagan Sims Sullivan Toomer Turner Walker Warren Wheeler Williams and Mr President 21

The Senator voting in the negative was Mr Haycock 1

Those Senators absent and not voting were Messrs Black. Blackwell. Forney Grey House Johnson Jones Thower and Tobey 9.

So The Bill Passed

Mr Turner Chairman of the Judiciary Committee submitted the following report. Mr President.

I have the honor to report that the committee on the Judiciary have had under consideration

HR 11 House Bill No 11 "An act to confirm and make valid the title to certain School Lands" and herewith return the same, and the Committee have directed me to recommend the passage of said Bill.

The report was received and on motion of Mr Turner. House Bill No 11 was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative, Ayes 24. Nays 1. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Henderson Hicks House Loughborough McCallum Norman Pindall Reagan Sims Sullivan Thower Tobey Toomer Turner Walker Warren Wheeler Williams and Mr President 24

The Senator voting in the negative was Mr Haycock 1

Those Senators absent and not voting were Messrs Black Blackwell Forney Gray Johnson and Jones 6.

So The Bill Passed

A message from the House by its assistant Clerk C C Reid Jr who appeared within the bar of the Senate and read as follows.

Hall House Representatives

Mr President December 7th 1875

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of
HR 304 H.R. No 304 "A Bill for an act to be entitled an act for the support and maintenance of the Arkansas Deaf Mute Instit-ute". Also of the concurrence by the House in Senate Mem-
SJM 9 orial No 9 Memorializing Congress to improve the navigation of Bayou Bartholomew." Also of the passage by the House
SB 249 of Senate Bill No 249. "A Bill for an act to amend section 10 of the Forcible Entry and Detainer Law". Also Senate Bill
SB 239 No 239 "An act Supplemental to an act authorizing the several Counties in this State to fund their outstanding indebtedness
SB 240 approved March 6th 1875." Also Senate Bill No 240 "A Bill for an act to be entitled an act to provide for the purchase of the Bonds of any County of the State." and herewith respectfully transmit the same for your favorable consid-eration.

C C Reid Jr
1st Asst Clerk

Mr Campbell Chairman of the Committee on Enrolled Bills submitted the following report.

Mr President.

The Committee on Enrollments have examined
SB 281 Senate Bills No 281. "An act to repeal the Ku Klux laws of the
SB 287 State, 287 "an act to appropriate money to furnish the Arkansas Industrial University building and for other
SJM 10 purposes" and Senate Memorial No 10 asking Congress to appropriate $80,000 for the improvement of the upper White River" and have instructed me to report said Bills and Memorial correctly Enrolled.

Each of said Bills and Memorial has been signed by the Speaker of the House and President of the Senate and delivered to his Excellency the Governor for his consider-ation.

The report was received.

Senator Loughborough was called to the Chair

Wednesday December 8th 1875

The Special Order for this hour being House Bill No 272 "An act to Incorporate the National Charity Hospital of Hot Springs" was then taken up and the Bill was read the third time and placed on its passage.

HR 272

The question then being Shall the Bill pass?, it was decided in the affirmative, Ayes 20 Nays 1, absent and not voting 10.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough M Callum Norman Reagan Sims Thurmer Tobey Turner Wheeler Williams and Mr President 20

The Senator voting in the negative was Mr Pindall 1

Those Senators absent and not voting were Messrs Black Blackwell Forney Grey Johnson Jones Sullivan Toomer Walker and Warren 10

So The Bill Passed

Mr Henderson chairman of the Committee on Agriculture submitted the following report. Mr President

HR 290

Your committee to whom was referred House Bill No 290 have had the same under consideration, and would respectfully ask permission to return the same back to the Senate with recommendation that it pass.

The report was received and on motion of Mr Henderson House Bill No 290 "An act to provide for the Incorporation of Fair Associations and for other purposes" was read the third time and placed on its passage.

The question then being Shall the Bill pass?, it was decided in the affirmative Ayes 22. Nays none. Excused from voting 1. absent and not voting 8.

Those Senators voting in the affirmative were Messrs Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough M Callum Norman Pindall Sims Sullivan Thurmer Tobey Toomer Turner Wheeler Williams and Mr President 22

The Senator Excused from voting was Mr Walker 1

Those Senators

absent and not voting were Messrs Black Blackwell Forney Grey Johnson Jones Reagan and Warren 8

So The Bill Passed

Mr Anderson Chairman of the Committee on Agriculture also submitted the following report. Mr President.

HR 100 Your Committee to whom was refered House Bill No 100 "An act to amend Chapter fifty four of Gantts Digest" in reference to Estrays have had the same under consideration, and a majority of the Committee instruct me to report the same back to the Senate and recommend that it lie on the table.

The report was received and adopted and House Bill No 100 was thereby laid on the table. The President resumed the Chair, and Mr McCallum was called to the Chair

Mr Sullivan Chairman Joint Select Committee to whom

SB 325 was refered Senate Bill No 325. Submitted the following report. Mr President

The Joint Committee, whose names are hereto signed, to which was refered the matter embraced in a Resolution of the Senate, to Consider the Expediency of removing the Deaf Mutes to the Blind Institute, and to convert the Deaf Mute Institute into a Lunatic Asylum, have had under consideration Senate Bill No 325, and report the same back to the Senate with a recommendation that it pass. They further report that they have evidence of the fact, that the City of Arkadelphia has tendered to the State of Arkansas the grounds and buildings which formerly belonged to said Blind Institute, free of Charge or Expense, upon condition that the State accepts them for a Blind Institute, and will maintain the same in said City of Arkadelphia.

The report was received and on motion of Mr Loughborough Senate Bill No 325 was read for information.

Mr Loughborough then offered the following amendment to the Bill. "Amend by new section to be numbered 7. succeeding sections to be numbered accordingly. Section 7. "For the purpose of preparing said buildings for the purpose herein contemplated, there is hereby appropriated out of any money in

Wednesday December 8th 1875

SB 325 the Treasury belonging to the fund for general revenue not otherwise appropriated, the sum of thousand dollars, to be paid on the order of the Board of Trustees for the Insane Asylum, countersigned and approved by the Auditor of State".

The amendment was read the first time, and under a suspension of the rules was read a second time.

A message from the House by its assistant Clerk who appeared within the bar of the Senate and read as follows

Hall House of Representatives
December 8th 1875

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the passage by
SB 252 the House of Senate Bill No 252 "An act to authorize the sale of Lands belonging to Estates of deceased per-
HR 305 sons". Also the passage by the House of HR No 305 "An act to suspend the printing and publishing the Journals of the General Assembly, and to provide the manner in which the same shall thereafter be prepared for the public printer". and herewith respectfully transmit the same for your favorable consideration.

C C Reid Jr
1st Asst Clerk

SB 325 Mr House then moved that the further consideration of Senate Bill No 325 be postponed until twelve O'Clock on Friday next.

Which motion was not agreed to.

The question then recurred upon the adoption of the amendment to the Bill, and the question being put, the amendment was rejected.

A message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 8th 1875

Mr President.

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House
HR 260 of HR No 260. "An act to prescribe the time of holding the Circuit Courts of the 8th Judicial Circuit". Also the pass-
HR 219 age by the House of Senate Substitute to HR No 219. "An

act to amend section 3894 and to repeal sections 3900 and 3902 of Gantts Digest" and herewith respectfully transmit the same for your favorable consideration

C C Reid Jr
1st Asst Clerk

SB 325 Mr Loughborough then offered a further amendment to Senate Bill No 325 as follows, Amend by new section to be numbered 8, succeeding sections to be numbered accordingly. Section 8. "For the support and maintenance of the inmates of the said Insane Asylum and for the payment of salaries of Officers and Employees, and for payment of the contingent expenses, there is hereby appropriated out of any money in the Treasury belonging to the General revenue fund not otherwise appropriated by law for the year 1876, The sum of thousand dollars, to be paid on the order of the Board of Trustees of said Asylum, countersigned and approved by the Auditor.

The amendment was read the first time, and under a suspension of the rules was read a second time and rejected.

Mr Brown then offered to amend SB 325 as follows. Amend by adding the words "and remain at said place for a period of ten years from its location" immediately following the word "Arkadelphia" where it occurs in the Bill.

The amendment was read the first time, and on a suspension of the rules was read a second time and rejected

On motion of Mr Norman Senate Bill No 325 was then read the third time and placed on its passage.

Mr House presented the report of the Board of Trustees of the Arkansas State Lunatic Asylum, to Gov E Baxter in 1873, in regard to the selection and purchase of a site for the said Asylum, near the City of Little Rock.

Which was read

Mr Walker then moved to recommit and refer the Bill to the joint select committee by whom it was reported.

Which was not agreed to

Mr Toomer moved to reconsider the vote by which the Senate refused to re commit the Bill to the Joint

Wednesday December 8th 1875

Select Committee.

Which motion was not agreed to

SB 325 The question then being shall the Bill pass? it was decided in the affirmative. Ayes 16. Nays 9. absent and not voting 6.

Those Senators voting in the affirmative were Messrs Campbell East Fletcher Hart Haycock Hicks McCallum Norman Puidall Reagan Thurver Tobey Toomer Turner Warren and Williams 16

Those Senators voting in the negative were Messrs. Brown Henderson House Loughborough Sims Sullivan Walker Wheeler and Mr President 9.

Those Senators absent and not voting were Mess Black Blackwell, Forney, Grey Johnson and Jones 6

So The Bill Passed

HB 260 On motion of Mr East House Bill No 260 "An act to prescribe the time for holding the Circuit Courts in the 8th Judicial Circuit" was taken up and read the first time.

On motion of Mr East the rules were then suspended and the Bill was read a second time and made the special order for Eleven O'Clock on tomorrow.

HB 305 On motion of Mr Tobey House Bill No 305 entitled "An act to suspend the printing and publishing of the Journals of the General Assembly, and to provide the manner in which the same shall thereafter be prepared for the public printer"

Which was read the first time, and on motion of Mr Tobey the rules were then suspended and the bill was read the second time and on motion of Mr Loughborough, was referred to the committee on printing and the said committee instructed to report at the earliest possible hour.

A Message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows

Hall House of Representatives
December 8th 1875

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the adoption by the House

SJR 44 of Senate Joint Resolution No 44 providing for a joint session of the two Houses to elect a State Superintendant of Public Instruction. and herewith respectfully transmit the same for your favorable Consideration.

C C Reid Jr
1st asst Clerk

HR 258 On motion of Mr Thower House Bill No 258 entitled "An act to prevent discriminations of County Warrants or County Script" was taken up and read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative. Ays 14. Nays 5. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Campbell Henderson Hick House Norman Pindall Reagan Sims Thower Tobey Toomer Turner Warren and Williams 14

Those Senators voting in the negative were Messrs Fletcher Loughborough Walker Wheeler and Mr President 5

Those Senators absent and not voting were Mess Black Blackwell. Brown East Forney Grey Hart Haycock Johnson Jones McCallum and Sullivan 12

So The Bill Passed

A message from the House by assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 8th 1875

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the passage
SB 307 by the House of Senate Bill No 307. "An act amendatory of Existing laws regulating the sale of the lands of
HR 289 the State." Also HR 289 "An act requiring fines. penalties and forfeitures to be paid into the County Treasury for County purposes" and herewith respectfully transmit the same for your favorable Consideration.

HR 289 On motion of Mr Pindall House Bill No 289 entitled "An act requiring fines. penalties and forfeitures to be paid into the County Treasury for County purposes" was taken up and read the first time.

On motion of Mr

Wednesday December 8th 1875

HR 189

Haycock the rules were then suspended and the Bill was read a second time and made the Special order for half past ten O'Clock on tomorrow.

Mr Warren moved that the Senate take a recess until Seven O'Clock this P.M.

Mr Turner moved to amend the motion of Mr Warren by substituting Half past three O'Clock P.M.

The question then recurring upon the motion of Mr Warren, it was adopted and the Senate took a recess until Seven O'Clock P.M.

After The Recess

The President called the Senate to order at Seven O'Clock P.M.

The Secretary called the roll and the following Senators answered to their names, Mr President Burch and Messrs Brown Campbell Hart Henderson Hicks House Jones Loughborough M'Callum Norman Pindall Sims Sullivan Thower and Tobey 16

The following Senators failed to answer to their names Messrs Black Blackwell East Fletcher Forney Gee Haycock Johnson Reagan Toomer Turner Walker Warren Wheeler and Williams 15

A Quorum Present

Mr Tobey asked and obtained leave of absence for the evening for Mr Reagan.

Mr Pindall asked that Mr Turner be excused from attendance this evening.

Which was granted

Mr Sims Chairman of the Committee on Federal Relations submitted the following report.

Mr President.

The Committee on Federal Relations to whom was referred a Communication under date of 6th instant to the Governor from C H Rockwell, Lieutenant U S Navy

Light House Inspector 14th District, relative to Legislation which would protect from injury, the lanterns and lights placed along the banks of the Mississippi River within this State, by the light House Board, as aids to the navigation of that river, have the honor to report that they have had the matter under consideration,

It is regretted by the committee that under the provisions of the Constitution of the State which prohibits the introduction of new Bills into the General Assembly within the last three days of the session, they are unable to report a Bill to meet the requirements of the case. Recognizing the importance of the matter, the Committee respectfully return the Communication to the Senate with a recommendation that it be laid on the table subject to the request of the Governor in order that it may be brought before the next General Assembly.

The report was received and the Committee discharged.

Mr Tobey chairman of Select Joint Committee submitted the following report, Mr President

The Joint Select Committee appointed to investigate the manner of the election of S W Dorsey to a seat in the United States Senate ask leave to report that they have, from time to time examined a large number of witnesses, and have as yet failed to procure any direct proof that bribery or any corrupt means were used by Mr Dorsey to secure his Election. We therefore present the written evidence of the various witnesses as taken down by our reporter, and ask that it be taken as a part of this report, and that the Committee be discharged from further service.

The report was received and adopted and the Committee discharged.

Mr Thower moved that 500 copies of the testimony of the several witnesses examined by the Committee to investigate the Election of S W Dorsey, be ordered printed.

Which motion was adopted and the printing so ordered.

Mr Loughborough Chairman of the Finance Committee submitted the following report.

Mr President

The Committee on Finance to whom was referred House Bill No 287. "An to facilitate the collec

Wednesday December 8th 1875

HR 287 tion of the State and County revenue of Hempstead County for the years 1872 and 1873" have the honor to report that they have had the same under consideration and herewith return the Bill with a recommendation that it do pass.

The report of the Committee was received and on motion of Mr Loughborough Home Bill No 287 was read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 19. Nays none. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Brown Campbell East Hart Haycock Henderson Hicks House Jones Loughborough M'Callum Norman Pindall Sims Sullivan Thower Tobey Toomer and Mr President 19

Those Senators absent and not voting were Messrs Black Blackwell Fletcher Forney Grey Johnson Reagan Turner Walker Warren Wheeler and Williams 12

So The Bill Passed

A message from the House by assistant Clerk C C Reid who appeared within the Bar of the Senate and read as follows.

Hall House of Representatives
December 8th 1875

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House
SB 304 of Senate Bill No 304 "An act to amend Sections 4, 7, 9, 11, 12, 13, 15, 19, 26, 29, 30, 31, 32 and 36 of "An act entitled "An act to Establish Fees, approved February 25th 1875" and herewith respectfully transmit the same for your favorable consideration.

Mr Loughborough Chairman of the Committee on Finance submitted the following report.

Mr President.

The Committee on Finance to whom was
HR 235 referred H. B. No. 235, "An act to provide for the clothing and other personal expenses of the pupils of the Benevolent Institution of this State" have the honor to report that they have had the same under consideration and herewith return the Bill

with a recommendation that it do pass.

The report was received and on motion of Mr Loughborough House Bill No 235 was read the third time and placed on its final passage.

HR 235

The question then being, shall the Bill pass; it was decided in the affirmative, Ayes 17, Nays 1, Excused from voting 2, absent and not voting 11.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Haycock Henderson Hicks Loughborough Norman Pindall Sims Sullivan Thower Tobey Toomer Williams and Mr President 17

The Senator voting in the negative was Mr McCallum 1

The Senators excused from voting were House and Jones 2

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Johnson Reagan Turner Walker Warren and Wheeler 11

So The Bill Passed

On motion of Mr Brown 2000 Copies of the Fee Bill were ordered printed and the Secretary of State was authorized to distribute the same.

Senators Fletcher and Walker appeared within the Bar of the Senate and answered to their names.

Mr Thower Chairman of the Committee on State Lands submitted the following report.

Mr President.

Your Committee on State Lands to which was referred message from the Governor Enclosing a Communication of S S Burdett asking for the relinquishment of title to the United States by the State to the S W 1/4 of the S W 1/4 Sec 10 Town 13 S Range 15 West have had the same under consideration and herewith return it with the suggestion that the action of the Governor and Attorney General in declining to make such relinquishment is by the Committee approved and that no further Legislation is necessary in the

Wednesday December 8th 1875

premises. The report was received and adopted.

Mr Thurmer Chairman of the Committee on State Lands also submitted the following report.

Mr President

HR 218 Your committee on State Lands to which was refered House Bill No 218 "A Bill for an act to be entitled an act to amend an act entitled an act fixing the price of State Lands and for other purposes" have had the same under consideration and herewith return it with a recommendation that it do not pass. all of which is respectfully submitted.

The report was received and adopted and on motion of Mr Thurmer House Bill No 218 was indefinitely postponed.

Mr House by unanimous consent introduced the following Resolution. "Resolved by the Senate that the sum of Eighteen dollars be allowed J W Calloway for three days services as Clerk for the Committee appointed to inquire into, and submit a Bill upon the matter of Fees

Which was adopted

HR 304 House Bill No 304 "An act for the support and maintenance of the Arkansas Deaf Mute Institute" under the order of business was then taken up and read the first time. and upon a suspension of the rules was read a second time and made the Special Order for half past ten O'clock on tomorrow.

On motion of Mr Loughborough the Senate then adjourned

Thomas H. Newton
Secretary

Hadley Branch
President of the Senate

Journal of the Senate
Thursday Decr 9th 1875

The Senate met pursuant to adjournment at ten O'clock A.M.

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Brown Campbell East Fletcher Hart Haycock Henderson Hicks House Loughborough Norman Pridall Reagan Sims Thrower Tobey Turner Walker Warren and Williams 21

The following Senators failed to answer to their names at the call of the roll, Messrs Black Blackwell Forney Grey Johnson Jones McCallum Sullivan Tanner and Wheeler. 10

A Quorum announced Present

Prayer by the Revd Geo A Dannelly

The Journal of yesterday was then read by the Secretary and one correction thereof being made in this days proceedings, it was approved and signed by the President and Secretary.

On motion of Mr Loughborough the Journal of yesterday was then corrected to make his motion upon reference of communication of Light House Inspector, read as follows. "The communication was read and on motion of Mr Loughborough was referred to the Committee on Federal Relations"

Senators Jones. McCallum and Wheeler appeared within the bar of the Senate and answered to their names.

Mr Wheeler Chairman of the Committee on Printing submitted the following report.

Mr President

The Committee on Printing to whom was referred House Bill No 305 entitled "An act to suspend the printing and publishing the Journals of the General Assembly, and to provide the manner in which the same shall thereafter be prepared for the public printer" direct me to report the same back to the Senate and

HB 305

recommend that it do pass.

HB 305

The report was received and on motion of Mr Hicks House Bill No 305 was then read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative, Ayes 18. Nays 1, absent and not voting 12

Those Senators voting in the affirmative were Messrs Campbell Fletcher Hart Hicks House Jones Loughborough McCallum Pindall Reagan Sims Thrower Tobey Toomer Turner Wheeler Williams and Mr President 18

The Senator voting in the negative was Mr Brown 1

Those Senators absent and not voting were Mess Black Blackwell East Forney Grey Haycock Henderson Johnson Norman Sullivan Walker and Warren 12

So The Bill Passed

Mr Brown sent to the Secretary's desk and had read the following communication.

Little Rock Arkansas
Decr 9th 1875

Hon E Foster Brown
Senate Chamber

Sir

I am conversant with the facts in connection with the Eubanks Gambling claim in the sum of $2000. I know that in 1873 the claimants applied for their pay under the act of 1867, but they were not paid because the act of 1868 repealed all appropriations prior to the 1st of January 1868 and they were not paid, and the records in the Office of the Auditor and State Treasurer will show that the claimants have never been paid, and I believe the claim to be just.

J R Berry
Ex Auditor of State

On motion of Mr Brown the communication was referred to the Committee on State Lands.

Mr Campbell chairman of the Committee on Enrolled Bills submitted the following report.

Mr President

The Committee on Enrollments have Exam

SB 264 SB 285 SB 261 SB 72

ined Senate Bills No. 264 an act to define the line between the Counties of Boone and Marion; No 285 "An act to aid in the Construction of the North Western Railroad, No 261. "An act to authorize the Commissioner of State Lands to make deeds in certain Cases". No 72 "An act to fix the number and Salaries of the different State Officers, and have instructed me to report said Bills Correctly Enrolled, all of which has been signed by the Speaker of the House and President of the Senate and delivered to his excellency the Governor for his Consideration.

The report was received

HB 289

The Special Order for this hour being House Bill No 289 entitled "An act requiring all fines penalties and forfeitures to be paid into County Treasuries for County purposes" was then taken up and the Bill was read the third time and placed on its passage.

The question then being Shall the Bill pass?, it was decided in the affirmative Ayes 19, Nays none, absent and not voting 12.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Hart Haycock Hicks House Loughborough McCallum Norman Pindall Reagan Sims Thrower Tobey Toomer Turner Wheeler Williams and Mr President 19

Those Senators absent and not voting were Messrs Black Blackwell Brown East Forney Grey Henderson Johnson Jones Sullivan Walker and Warren 12

So The Bill Passed

HB 304

The Next Special Order being House Bill No 304 entitled "An act for the support and maintenance of the Arkansas Deaf Mute Institute" was then taken up

Mr Loughborough sent to the Secretarys desk and had read the following communication. State Department

Little Rock Dec 9th 1875

Hon J M Loughborough
Senate Chamber

Dear Sir. In answer to your inquiry in reference to appropriations of moneys for support of the Deaf Mute and Blind Asylums; I beg

Thursday December 9th 1875

leave to State that after a carefull examination of the General appropriation Bill, I do not find any appropriation for the support of said Institutions.

Very Respectfully
B B Beavers
Secretary of State

HB 304 House Bill No 304 was then read the third time and placed on its passage.

The question then being shall the Bill pass? it was decided in the affirmative. Ayes 15. Nays 3. Excused from voting 1. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Campbell Fletcher Hart Haycock House Loughborough Norman Pindall Sims Thower Tobey Toomer Turner Wheeler and Williams 15

The Senators voting in the negative were Messrs Hicks McCullum and Mr President 3

The Senator excused from voting was Mr Reagan 1

Those Senators absent and not voting were Messrs Black Blackwell Brown East Forney Grey Henderson Johnson Jones Sullivan Walker and Warren 12

So The Bill Passed

HB 226 The next Special Order being House Bill No 226 entitled "An act to provide for the Arkansas Institute for the Blind" was then taken up and on motion of Mr Loughborough the Bill was read the third time and placed on its passage.

The question then being Shall the Bill pass? it was decided in the affirmative Ayes 21. Nays none. absent and not voting 10.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Haycock Henderson Hicks House Loughborough McCullum Pindall Reagan Sims Thower Tobey Toomer Turner Warren Wheeler Williams and Mr President 21

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Johnson Jones Norman Sullivan and Walker 10

So The Bill Passed

Mr Brown offered the following Resolution.

Resolved. That the thanks of the Senate are due, and are hereby tendered to the Honorable Bradley Rauch President of the Senate for the impartial and efficient manner in which he has presided over the same during the present term — also to Thomas W Newton. Col J Frolich. J W Callaway. J R Steelman and A Belding. Clerks, for their promptness and accuracy in the discharge of their duties. respectively.

Which was adopted

Senator Fletcher was called to the Chair

NB 260 The next Special Order for this day being House Bill No 260 entitled "An act to prescribe the time of holding the Circuit Courts in the 8th Judicial District" was then taken up and on motion of Mr Pindall was read the the third time and placed on its passage.

The question then being shall the Bill pass?. it was decided in the affirmative. Ayes. 19. Nays none. absent and not voting 12.

Those Senators voting in the affirmative were Messrs Brown Campbell Fletcher Hart Haycock Henderson Hicks House Jones Loughborough McCallum Pindall Sims Sullivan Tobey Turner Wheeler Williams and Mr President 19

Those Senators absent and not voting were Messrs Black Blackwell East Forney Grey Johnson Norman Reagan Thrower Toomer Walker and Warren 12

On motion of Mr Loughborough the Senate then took a recess for twenty minutes.

After the Recess.

The President called the Senate to order at the expiration of twenty minutes.

A Quorum Present.

Mr. O'Reid the assistant Clerk of the House appeared within the bar of the Senate and announced that the

Thursday December 9th 1875

House of Representatives was now ready to receive the Senate in Joint Session for the purpose of electing a State Superintendant of Public Instruction.

On motion of Mr Brown the Senate then repaired in a body to the Hall of the House of Representatives

Joint Session

Hall of The House of Representatives December 9th 1875

The Senate and House of Representatives met in joint session and were called to order by the Honorable Bradley Bunch President of the Senate.

The Secretary called the roll of the Senate when the following Senators answered to their names. Mr President Bunch and Messrs Brown Campbell East Fletcher Hart Haycock Henderson House Jones Loughborough M Callum Norman Pridall Reagan Sims Sullivan Thurmer Tobey Toomer Turner Walker Warren Wheeler and Williams 25

Those Senators failing to answer to their names at the Call of the Roll were Messrs Black Blackwell Forney Grey Hicks and Johnson 6.

A Quorum announced as present

The Clerk of the House called the roll of the House of Representatives when the following Members answered to their names Anderson of Craighead. Anderson of Howard, Avera, Baker Barret Boone Boston Bradford Bragg Bright Browning Burns. Casey Cochran Chaney Cleaveland Cluck Coffey ~~Coleman~~. Collins Copeland Davis Drake Durham Dowell Flippin Foster Frazier Fuller Fulton Gardner Greene Grissom Gillis Hannah Hill of Calhoun Jones Jackins Ken Little Love Martin Maxwell McConnell McRae Miller Morgan Moore of Crawford. Moore of Union ~~Mor~~ Patton Poe Polk Powell Putman Rice Rhea Robinson of Desha Robinson of Monroe. Ruddell Rumph Russell Sanders Shinn Slaughter. Spangler Taylor Trimble Venable Wall Wann ~~Hen~~ Wells, of Drew. Wells of White, Wildberger Williams Wolf. and Mr Speaker 76

The following members failed to answer to their names at the call of the roll. Messrs Baird Bostic, Dodson of Newton, Dodson of Randolph, Headlee, Hill of Jefferson, Hoover, McClelland Moore of Carroll, Moore of Woodruff Norwood, Sadler Smyers and Witt 14

The Speaker announced a quorum of the House of Representatives as present

Mr Rudull then moved that the Joint Session of the General Assembly now proceed to the Election of a State Superintendant of Public Instruction.

Mr Hart moved that the candidate receiving the smallest number of votes be dropped at each ballot. But withdrew the same

The President then announced that nominations were in order.

Mr Fletcher nominated W D Leiper of Dallas County

Mr Wheeler nominated T R Welsh of Pulaski County

Mr Durham nominated J R Berry of Pulaski County

Mr Rumph nominated Geo W Hill of Ouachita County

Mr Kerr nominated J B Bond of Pulaski County

Mr Norman nominated R W Trimble of Jefferson County

Mr House Nominated J J Hollman of White County

Mr Hurt nominated Ransom Gulley of Izard County

Mr Grisson nominated Greenfield Quarles of Phillips County

Mr Wall nominated E R Harrison of Pulaski County

There being no other nominations the Secretary called the roll of the Senate.

Upon the call of the roll it appeared that the following Senators voted for Ransom Gulley viz: Messrs Hart, Henderson, Sims, Reagan, Williams and Mr President 6.

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The following Senators voted for Mr Geo W Hill, viz: Messrs East Flower Tobey Walker and Warren 5

The following Senators voted for Welsh, viz: Mess Campbell Loughborough Tooner Turner and Wheeler 5

The following Senators voted for Mr Leiper, viz: Messrs Fletcher. Jones and McCallum 3

The following Senators voted for Mr Trimble, viz: Messrs Haycock. Norman and Puidall 3

The following Senators voted for Mr Hollinan, viz: Messrs Brown. House and Sullivan 3

The following Senators failed to answer to their names at the call of the roll Messrs Black Blackwell Forney Greg Hicks and Johnson 6.

The Roll of the House of Representatives was then call=ed by the Clerk when it appeared that the following members voted for Mr Geo W Hill, viz: Anderson of Craighead Anderson of Howard. Avera Baker Bove Bostic Boston Bradford Bragg Bright Cochran Chaney Coleman Dowell Frazier Fuller Gardner Green Hill of Calhoun Jones Love Martin McConnell Miller Moore of Crawford Moore of Union Orr Patton Poe Polk Powell Putman Rice Robinson of Monroe Rumph Russell Sanders Shain Slau=ghter Taylor Weir Wells of Dress Williams and Mr Speaker 44

The following members voted for Mr Ransom Gulley, viz: Cady Cluck Coffey Drake Flippin Foster Judkins Morgan Rhea Ruddell Trimble Wann and Wolf 13

The following members voted for Mr Berry, viz: Durham Kerr Robinson of Desha Shangler and Wildberger 5

The following members voted for Mr Welsh, viz: Collins Fulton Hannah and McRae 4

The following members voted for Mr Leiper, viz: Barnett Browning Cleaveland and Gillis 4

The following members voted for Mr Hollinan, to wit; Messrs Burns, Humphrey, Venable and Webb of White 4

The following members voted for Mr J B Bond, to wit; Messrs Copeland Grissom and Little 3

Messrs Davis and Maxwell voted for Mr Trimble 2

Mr Wall voted for Mr E R Harrison 1

Before the vote was announced, the following Senators and Representatives changed their votes as follows:

Senator M Callum changed his vote from Mr Leiper to Mr Hill

Representative Gill changed his vote from Mr Leiper to Mr Hill

Representative Jenkins changed his vote from Mr Gulley to Mr Hill

Representative McRae changed his vote from Mr Welsh to Mr Hill

Representative Robinson of Desha changed his vote from Mr Beny to Mr Hill

Representative Copeland changed his vote from Mr Bond to Mr Hill

Representative Durham changed his vote from Mr Beny to Mr Hill

Representative Wildberger changed his vote from Mr Beny to Mr Hill

Upon a recapitulation of the vote of the joint Session it appeared that Mr G W Hill received 57 votes.

Mr Ransom Gulley received 18 votes

Mr Welsh received 8 Votes

Mr J R Beny received 2 Votes

Mr J T Hollinan received 7 Votes

Mr J B Bond received 2 Votes

Mr W D Leiper received 5 Votes

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Mr R W Trimble received 5 Votes

Mr E R Harrison received 1 Vote

Total number of votes cast 105

Necessary to a choice 53

Mr Geo W Hill having received fifty seven votes a majority of all the votes cast was by the President of the Senate declared to be duly elected Superintendant of Public Instruction for the State of Arkansas for and during the time prescribed by law.

Upon motion of Senator Pindall the joint Session was then dissolved and the Senators returned to the Senate chamber

The President called the Senate to order

Mr Loughborough moved that the Senate take a recess until three o'clock P.M.

Mr Walker moved as an amendment to the motion that the Senate adjourn.

Which was not agreed to

Mr Pindall then moved as a substitute for the motion of Mr Loughborough that the Senate take a recess until Seven O Clock P.M. and the question then recurring on that motion, the same was adopted and the Senate took a recess until seven o'clock.

After the Recess

The President called the Senate to order at Seven o'clock

The Secretary called the roll and the following Senators answered to their names. Mr President Bunch and Messrs Campbell East Hart Haycock Henderson Jones Loughborough McCallum Norman Pindall Reagan Sims Sullivan Tobey Toomer Turner Walker and Williams 19

The following Senators failed to answer to their names at the call of the roll, Messrs Black

Blackwell Brown Fletcher Forney Grey Hicks House Johnson Thurser Wauen and Wheeler 12

A Quorum Present

Mr Norman By unanimous consent introduced the following resolution. Resolved, That the thanks of the Senate are hereby tendered to Thomas D Berry Sergeant at arms, T C Scott Door Keeper and John Marks assistant Door Keeper, and the Pages of the Senate for the faithful performance of their duties

Which was adopted

Mr Sims by unanimous consent introduced the following Resolution.

Resolved by the Senate and House of Representatives of this General Assembly. That we have undiminished confidence in the administrative ability of Governor Garland, and that we look to him as one of the guiding Stars of Arkansas, and that we shall fully realize our most sanguine hopes in the near approaching and distinguished prosperity that we hope will be our future destiny.

The Resolution was adopted

A message from the House by its assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows. Mr President.

I am instructed by the House of Representatives to inform your honorable body that the House has considered the amendments to

HR 225 House Bill No 225. "An act to Establish a Court of Common Pleas in the Counties therein named" and have refused to Concur in so much of said amendment as strikes "Lee County" from the provisions of the Bill, and respectfully return the Bill and ask that the Senate recede from that portion of its amendment.

SB 312 Also of the passage by the House of S B No 312 "an act to provide for the publication of the organic Law of the State" Also the rejection by the House of

SB 109 S B No 109 "An act to provide for the treatment of Insane persons in this State" Also of the concurrence

HR 258 of the House in Senate amendment to HR No 258 "An act to prevent discrimination of County Warrants or County Scrip." Add to Section 1. "Provided that nothing in this act shall authorize the Collector to receive "Scrip" issued since the adoption of the Constitution in payment of the tax levied to pay the indebtedness existing before the adoption of the Constitution. Also of the Concurrence of the House in Senate amendment to HR No 272. "An act to Incorporate the National Charity Hospital of Hot Springs." In first Section 4th line strike out the words "and assigns" and insert the word "and" before word "their" in third line. And add to Section 1. "Provided that said Corporation shall be and remain under the patronage and control of the State. Provided further that the State shall never be held or made liable for any debt or debts of said Corporation." Section 3 strike out word "on" in fifth line and insert "one". Strike out all of section 4 after the word "trustees" in line eleven and insert the following. "The Treasurer under the direction of the trustees shall have charge of all monies of the Corporation and the keeping of the accounts of the same, but no money shall be paid out of the Treasury Except upon the order of the Secretary, approved by the President." Also of the passage by the House of SB No 242 "An act repealing sections 5125, 5126 and 5127 of Gantts Digest Establishing County Boards of Equalization". Also of the rejection by the House of SB No 243. "An act amendatory of existing laws in regard to the publication of legal notices." Also of the rejection by the House of SB No 275 "An act to require assessors to show in a separate Column on his tax lists the number of School Districts in which the personal property is to be taxed, and to pay said assessor for said services." Also of the passage by the House of SB No 305. "An act for the relief of W P Haynes and others sureties of A C Wood &c." Also of the passage by the House of S.B. No 294. "An act to provide for the enlargement of the grounds and the extension of the walls of the State Penitentiary and to provide for the erection of a new Cell building for said Penitentiary". Also of the passage by the House of SB No 282 "An act to regulate the sale of lands belonging to the State, in certain cases."

HR 272

SB 242

SB 243

SB 275

SB 305

SB 294

SB 282

SB 325 Also of the passage by the House of S B No 325 "An act to return the Arkansas Blind Institute to the City of Arkadelphia and for other purposes," and herewith respectfully transmit the same.

A message from the Governor by C H Wood his private Secretary who appeared within the Bar of the Senate and read as follows

State of Arkansas
Executive Office
Little Rock Dec 8th 1875

To The President of the Senate of
Arkansas and the members thereof
Gentlemen

I have approved and

SB 281 signed Senate Bill No 281, "An act to be entitled an act to repeal the Ku Klux law of this State". Also Senate Bill

SB 287 No 287 "An act to appropriate money to furnish the Arkansas Industrial University building and for other purposes". Also Senate Memorial No 10, and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas

A further message from the Governor as follows.
To the President of the Senate of
Arkansas and the members thereof
Gentlemen

I have approved

SB 72 and signed Senate Bill No 72. "An act to fix the number and salaries of clerks and employees of the different

SB 285 State Departments". Also Senate Bill No 285 "An act to be entitled an act to donate all the lands forfeited to the State for non payment of taxes and all the swamp and overflowed lands lying in the Counties of Franklin, Crawford, Washington Benton and Madison to said Counties for the purpose of aiding in the construction of a Railroad through said

SB 264 Section". Also Senate Bill No 264 "An act to change and define the boundary line between the Counties of Marion and Boone" and I herewith return the same.

Very Respectfully
A H Garland
Governor of Arkansas

Mr Walker then moved to reconsider the vote by which

Thursday December 9th 1875

HR 225 the Senate amended House Bill No 225 "An act to Estab=lish a Court of Common Pleas in the Counties therein named" by Striking the name of "Lee" County therefrom,

Upon which motion the Ayes and Nays were called and the question then being Shall the Senate recede from the said amendment to the Bill? it was decided in the affirmative. Ayes 17. Nays 2. absent and not voting 12

Those Senators voting in the affirmative were Messrs Campbell East Hart Haycock Henderson Lough=borough McCallum Norman Pindall Reagan Sims Sullivan Tobey Turner Walker Williams and Mr President 17

The Senators voting in the negative were Messrs Fletcher and Jones 2

Those Senators absent and not voting were Messrs Black Blackwell Brown Forney Greg Hicks House Johnson Thrower Toomer Warren and Wheeler 12

So the Senate receded from its amendment so far as Lee County is concerned, to House Bill 225, and the Bill as thus amended was then passed by the following vote.

Those Senators voting in the affi=rmative were Messrs Campbell Fletcher Henderson McCallum Norman Reagan Sims Sullivan Tobey Turner Walker Williams and Mr President 13

Those Senators voting in the negative were Messrs East Hart Haycock Jones Loughborough and Pindall 6

Those Senators absent and not voting were Messrs Black Blackwell Brown Grey Forney Hicks House Johnson Thrower Toomer Warren and Wheeler 12

So The Bill Passed

SB 267 Mr Loughborough moved that the Senate go into Committee of the whole upon consideration of Senate Bill No 267.

Which was adopted

Mr Fletcher was designated as chairman

S.B 267

After some time spent therein the committee rose and reported the Bill back with amendments and recommending its passage at the next session of the General Assembly.

Upon motion of Mr Fletcher the Senate adjourned

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Friday December 10th 1875

Journal of the Senate
Friday Decr 10th 1875

The Senate met pursuant to adjournment at ten O'Clock

The Secretary called the roll and the following Senators answered to their names, Mr President Bunch and Messrs. Brown Campbell Fletcher Hart Loughborough Pindall Reagan Sims Sullivan Tobey Turner and Williams 12

Those Senators absent at the call of the roll were Mess Black Blackwell East Forney Grey Haycock Henderson Hicks House Johnson Jones McCallum Norman Thower Toomer Walker Warren and Wheeler 19

No Quorum present

On motion of Mr Hart the Senate to a recess of ten minutes

After the Recess

The President called the Senate to order at the expiration of ten minutes.

The Secretary called the roll when the following Senators answered to their names, Mr President Bunch and Messrs Brown Campbell East Fletcher Hart Henderson House Loughborough McCallum Pindall Reagan Sims Sullivan Tobey Turner Wheeler and Williams 18

The following Senators were absent at the call of the roll, to wit: Messrs Black Blackwell Forney Grey Haycock Hicks Johnson Jones Norman Thower Toomer Walker and Warren 13

A Quorum Present

The Journal of yesterday was then read by the Secretary and there being no objections thereto it was approved and signed by the President and Secretary.

Senators East and Toomer appeared within the bar of the Senate and answered to their names

Mr East chairman of the Committee on Corporations, by unanimous consent submitted the following report.

Mr President.

SB 114. HB 107 Your committee on Corporations to whom was referred Senate Bill No 114, and House Report 107, have had the same under consideration and instruct me to report the same back to the Senate with the recommendation that they lie upon the table until the next session of the General Assembly.

The report was received and adopted and Senate Bill No 114 and House Bill No 107 were thereby laid on the table.

Mr M Callum chairman of the Committee on County and County lines returned to the Secretarys desk Petitions &c that had been referred to said Committee.

Mr Pindall for the committee on Claims submitted the following report. Mr President

HB 85 Your committee to whom was referred House Bill No 85 have had the same under consideration and direct me to report the same back to the Senate and report that the Committee have not had time to investigate the Claim, or the condition of the fund out of which it is proposed to pay the claim, and recommend that the Claim be referred to the State Board of Finance for investigation with request that they report their finding to the next session of the General Assembly.

The report was received and adopted.

Mr Pindall for the Committee on State Lands submitted the following report. Mr President.

SB 266 Your committee to whom was referred Senate Bill No 266 have had the same under consideration and direct me to report the same back to the Senate with the recommendation that it do not pass.

The report was received and adopted and Senate Bill No 266 was thereby rejected.

On motion of Mr Henderson, Messrs Pindall and Tobey were added to the Committee on Enrolled Bills.

Mr Pindall moved a reconsideration of the vote by

Friday December 10th 1875

which the Senate ordered the printing of the evidence taken by the committee to investigate the manner of the Election of S W Dorsey to the United States Senate.

But withdrew the same

A message from the House by their assistant Clerk C C Reid who appeared within the bar of the Senate and read as follows.

Hall House of Representatives
December 10th 1875

Mr President.

I am instructed by the House of Representatives to inform your Honorable Body of the passage
SB 299 by the House of Senate Bill No 299 "An act to establish Separate Courts in
SB 314 the County of Yell." Also of Senate Bill No 314 "An act amendatory of an act approved March 6th 1875, taxing non resident trappers." Also the concurrence by the House in Senate
HB 241 amendments to House Bill No 241 "An act to prevent the buying and selling of corn, wheat, rye, oats or cotton within certain hours" by striking out the words "corn rye, wheat and oats". Also of the rejection by the House of substitute
SB 269 to S B No 269. "An act to make an appropriation to pay residue of a debt due from the State for the purchase of cannon belonging to the State". Also of the passage by the House
SB 152 of Senate Bill No 152 "A Bill to be entitled an act to amend paragraph 6 of Section 4668 of Gantts Digest. Chap 107."
152 and herewith respectfully transmit the same for your favorable consideration.

Mr Fletcher moved that a committee of two on the part of the Senate be appointed to act in conjunction with a like committee from the House, to wait upon the Governor and inform him that the two Houses of the General Assembly were about to adjourn Sine Die, and to ascertain whether his Excellency had any further communications to make.

Which motion was adopted and the President appointed Senators Fletcher and Longhborough as such Committee.

Mr Sullivan Chairman of Committee on Auditors and Treasurers Books, returned to the Secretarys desk the papers &c remaining in the hands of the said Committee.

Mr Turner chairman of the Judiciary Committee returned to the Secretary's desk, the papers &c pertaining to the said Committee

Senator M Callum called to the Chair

Senator Toomer moved a call of the Senate.

The Secretary called the roll and the following Senators answered to their names. Messrs Brown Campbell East Fletcher Hart House M Callum Pridall Reagan Sims Sullivan Tobey Toomer Turner Wheeler Williams and Mr President 17

The following Senators failed to answer to their names at the call of the roll to, wit; Messrs Black Blackwell Forney Grey Haycock Henderson Hicks Johnson Jones Loughborough Norman Thover Walker and Warren 14

A Quorum Present

Mr Flecher from the joint select Committee to wait upon the Governor, reported that the Committee had performed that duty, and that his Excellency had informed the Committee that he had no further communications to make.

On motion of Mr Bunch the Senate took a recess of twenty minutes.

After the Recess

The President called the Senate to order at the expiration of the recess.

A Quorum Present

A message from the House by assistant Clerk C C Reid who appeared within the Bar of the Senate and read as follows. Hall House of Representatives December 10th 1875

Mr President.

I am instructed by the House of Representatives to inform your Honorable Body of the

SB 216 passage by the House of Senate Bill No 216. "An act to enable settlers and preemptors in the Swamp and overflowed lands to perfect their titles by entry." Also the passage by the
SB 173 House of Senate Bill No 173 "An act to protect married women in the enjoyment of their separate property." and herewith respectfully transmit the same for your favorable consideration.

In the closing hour of the session, Senator Sims being called upon, addressed the Senate in eloquent terms and congratulated the people of Arkansas upon the restoration of the right of self Government, to a free people

Senator Turner in response to a similar call, also addressed the Senate, briefly, in eloquent and appropriate terms.

The Hour of twelve O'Clock M. having now arrived Mr President Baruch in the most eloquent, feeling and appropriate terms, in accordance with the law declared the Senate adjourned Sine Die.

Bradley Baruch
President of the Senate

Thomas W. Newton
Secretary